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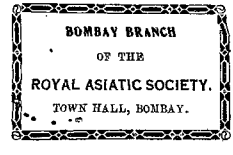

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THIRD

ANNUAL REPORT

OF THE

PUBLIC WORKS LOAN BOARD, 1877-78.

(*Presented pursuant to Act* 38 *&* 39 *Vict. c.* 89.)

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Ordered, by The House of Commons, *to be Printed,*
19 *June* 1878.

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THIRD ANNUAL REPORT

OF THE

PUBLIC WORKS LOAN BOARD, 1877-78.

(In pursuance of the Act 38 & 39 Vict. c. 89.)

THE Public Works Loan Commissioners, pursuant to Section 5 of the Public Works Loans Act, 1875, make the following Report of their transactions during the financial year, which expired on 31st March 1878 :—

1. The Public General Acts of Parliament which were passed during the Session of 1877, affecting the Public Works Loan Commissioners, are as follows, viz.:

40 & 41 Vict. c. 19. "The Public Works Loans Act, 1877."—This Act gave authority for the issue of 4,000,000 *l.* for the purposes of Loans by the Public Works Loan Commissioners, and authorised the Commissioners to compound a loan of 1,675 *l.* to the parish of Whitchurch, and this composition has been effected. It also amended the Public Works Loan Act, 1875.

40 & 41 Vict. c. 21. "The Prisons Act, 1877."—This Act amended the law relating to prisons in England, and provided that a prison authority might borrow, and the Public Works Loan Commissioners might advance, by way of loan, such sums as might be required under that Act, to bear interest at such rate per cent. as the Treasury might determine to be sufficient to prevent loss to the Exchequer, and to be repaid within a period not exceeding 35 years from the date of the first advance on account of any such loan. This Act came into operation on 1st April 1878.

40 & 41 Vict. c. 53. "The Prisons (Scotland) Act, 1877."—This Act amended the law relating to prisons in Scotland, and conferred powers alike to those of the 40 & 41 Vict. c. 21, of lending for like purposes to prison authorities in Scotland.

40 & 41 Vict. c. 64. "The Annual Turnpike Acts Continuance Act, 1877."—This Act continued certain turnpike Acts in Great Britain and repealed certain other turnpike Acts.

By this statute the Act 2 Will. 4, c. 86, for making and maintaining a turnpike road from the town of Doncaster to the town and port of Selby in the county of York, was included in the Schedule of Acts which were to expire on 1st November 1877. The Exchequer Loan Commissioners in 1833 advanced to the Trustees of the Doncaster and Selby Road, under the above-mentioned Act, 2 Will. 4, c. 86, a sum of 14,000 *l.* for making the road, and of that sum there remained unpaid on 1st November 1877, in respect of principal, a balance of 5,392 *l.* 14 *s.* 3 *d.*; the security for repayment, consisting as it did of the tolls on the road, became exhausted upon expiration of the Act by which they were authorised to be taken, and consequently the amount of the unpaid balance of the loan, subject to such amount as may be obtained by the sale of toll-houses, &c., is irrecoverable. Evidence on the part of the Public Works Loan Commissioners as to the loss to the Exchequer which would arise if the Road Act were retained in the schedule referred to, was given before the Committee of the House of Commons, to which the Continuance Bill was referred, but the Bill as it stood in respect of such Road Act passed both Houses of Parliament, and received the Royal Assent on the 14th of August 1877.

2. The

2. The amount advanced by the Loan Commissioners during the financial year 1877-78 has been 4,306,524 *l.*, which sum comprised 855,174 *l.*, part of the sums authorised to be issued by the 39 & 40 Vict. c. 31, and previous Acts, and 3,451,350 *l.*, part of 4,000,000 *l.* authorised by the Act 40 & 41 Vict. c. 19.

The Appendix (A.) to this Report contains a statement, made out to 31st March 1878, of the sums issued to the Public Works Loan Commissioners for the purpose of advances under various Acts of Parliament, amounting to 38,182,679 *l.* 17 *s.* 6 *d.*; the sums advanced by the Commissioners during the financial year 1877-78, amounting to 4,306,524 *l.*; the total sums advanced to 31st March 1878, amounting to 34,814,688 *l.* 16 *s.* 10 *d.*;* the amounts paid to the Exchequer in repayment of principal and for interest during the last financial year, amounting to 1,216,623 *l.* 19 *s.*; and the balances of principal and interest outstanding on 31st March 1878, amounting to 20,891,192 *l.* 1 *s.* 4 *d.*, with other particulars.

A statement of the outstanding advances is given in Appendix (B.), showing in detail the sums advanced prior to 1st April 1877, the amounts advanced during the financial year 1877-78, and the balance of principal remaining outstanding on 31st March 1878 on account of such advances.

It will be seen by the Appendix (A.), before referred to, that of the sum of 20,582,677 *l.* 15 *s.* which is stated to have been outstanding on 31st March 1878 for principal alone, the sum of 20,193,599 *l.* 4 *s.* 10 *d.*, part thereof, is principal which has not yet fallen due under the securities. The remaining sum of 389,078 *l.* 10 *s.* 2 *d.*, for principal, and the sum of 308,514 *l.* 6 *s.* 4 *d.*, outstanding on account of interest, are arrears. Of these arrears, the following sums are owing on account of loans advanced under special or directing Acts of Parliament, and not under the discretionary powers of the Loan Commissioners, viz.:

	Principal.	Interest.	Total.
	£. s. d.	£. s. d.	£. s. d.
Battersea Park - - - - -	100,000 - -	85,537 10 8	185,537 10 8
Chelsea Bridge - - - - -	45,000 - -	35,855 12 3	80,855 12 3
Highland Roads - - - - -	49,029 14 9	112,351 18 10	161,381 13 7
Dunbar Harbour - - - - -	20,000 - -	11,050 4 1	31,050 4 1
Total - - - £.	214,029 14 9	244,795 5 10	458,825 - 7

Chelsea Bridge is included in the undertakings mentioned in the Metropolis Tolls Bridges Act, 1877, and the Loan Commissioners have been informed that the Commissioners of Her Majesty's Board of Works, &c., are in treaty with the Metropolitan Board of Works on the subject of the sale of the bridge.

The remaining arrears comprise (amongst others) several loans of very old date, which are irrecoverable; particulars of each of these have been reported by the Loan Commissioners to the Treasury for consideration as to the inexpediency of keeping open for any further period the accounts of such irrecoverable loans, and with a view to obtaining Parliamentary authority, as required by Section 33 of the Public Works Loans Act, 1875, to extinguish the debts owing in respect thereof.

A list of the loans, the balances of which have, during the last financial year been paid, with all interest thereon, and which by such payment have become fully discharged, will be found in a separate statement, in Appendix (C.); the amount of these is, in all, 491,432 *l.* During the financial year 1876-77, the loans, which by payment of balances in that year became extinguished, amounted to 580,429 *l.* 17 *s.* 7 *d.*

3. The

* Exclusive of services, accounts of which are closed, &c., for particulars see Appendix (F.), page 84.

3. The following statement shows the loans granted during the financial year 1877-78, as compared with the loans granted during 1876-77, and the Acts of Parliament or purposes relating to such loans.

1876-77.	1877-78.	
£.	£.	
1,869,600	1,706,357	Under the Elementary Education Acts, 1870-1873.
310,105	300,812	Under the Education (Scotland) Act, 1872.
811,062	981,867	Sanitary Loans recommended by the Local Government Board under Section 243 of the Public Health Act, 1875.
Nil -	1,075,000	Under the Artizans and Labourers Dwellings Improvement Act, 1875.
29,393	4,512	Loans to Local Boards and other authorities under the Public Health Act, but not under recommendations by the Local Government Board.
156,550	175,071	Loans to Parochial Boards, Police Commissioners, and other borrowing authorities in Scotland.
29,750	19,350	Loans to Burial Boards in England and Wales.
1,000	5,050	Under the Poor Law Amendment Acts.
30,000	52,921	Under the Labouring Classes Dwelling Houses Act, 1866.
7,900	13,300	Under the Portpatrick and Belfast and County Down Railway Companies Act.
3,000	38,200	Under the Harbours and Passing Tolls, &c., Act, 1861.
25,000	Nil -	Under the Harbour of Colombo Loan Act, 1874.
6,600	14,000	Other Harbours not under the above Harbour Acts.
3,279,360	4,386,440	

Particulars of the above-mentioned loans, of the rate of interest per cent. per annum on each, and of the number of years for repayment, are given in Appendix (D).

The loans granted by the Loan Commissioners under the Elementary Education Acts to School Boards in England and Wales, during the financial year 1877-78, are smaller in their aggregate amount by about 160,000 *l.* than those granted by the Board in 1876-77; they include the sums (in all 500,000 *l.*) granted in 1877-78 to the School Board of London, which have raised to 2,960,900 *l.* the total sum thus far granted to that Board by the Loan Commissioners.

The amount granted by way of loan in 1877-78 to School Boards in Scotland differs very little from the amount of the grants made by the Board in 1876-77 under the Education (Scotland) Act.

There has been, as compared with former years, a progressive increase in 1877-78 in the amount of the sanitary loans granted by the Loan Commissioners under recommendations by the Local Government Board, pursuant to Section 243 of the Public Health Act, 1875; the amount granted by the Commissioners for loans of this class was, in 1875-76, 737,173 *l.*, and in 1876-77, 811,062 *l.*; the amount granted in 1877-78 has been 981,867 *l.*

The loans thus granted in 1877-78 are 204 in number, and have been made repayable as follows, viz.:—

		£.
11	of such number in periods ranging from three to 20 years -	9,453
166	of such number in periods ranging from 21 to 30 years - - The above bear interest at 3½ per cent.	588,917
27	of such number in periods in 50 years, with interest at 4 per cent. - - - - - - - - - - - - -	383,497
204		£. 981,867

Three Urban Sanitary Authorities, viz., Birmingham, Liverpool, and Wolverhampton, have in 1877-78 obtained grants of loans under "The Artizans

Artizans and Labourers Dwellings Improvement Act, 1875," from the Loan Commissioners for purposes of improvement of those towns respectively; the amount of the grants made in the three several cases was—

£. 1,000,000 for Birmingham,
£. 50,000 for Liverpool,
£. 25,000 for Wolverhampton.

Each of the loans was required for the purchase of properties within unhealthy areas of the respective towns, and in furtherance of other purposes of the improvement schemes made for providing remedy for such unhealthiness, in pursuance of the Act, and duly confirmed by Provisional Order of the Local Government Board and Act of Parliament.

The cases of the applications to the Loan Commissioners by the three Urban Sanitary Authorities referred to are the first which have arisen under "The Artizans and Labourers Dwellings Improvement Act, 1875."

The loans granted in the last financial year under the Public Health and Sanitary Acts, but not under the recommendation of the Local Government Board, have only been five in number, and of small amount; they all bear interest at 5 per cent. per annum.

The borrowing authorities under the Public Health (Scotland) Acts, General Police and Improvement, and other Acts, have, in 1877-78, obtained grants of loans from the Commissioners of an amount, in all, of 175,071 *l.*; the loans have been, for the most part, for water supply and drainage, under recommendation of the Board of Supervision as to the purposes of the works and number of years for repayment, and, according to the length of period recommended, they bear interest at the rate of 3½, 3¾, or 4 per cent. per annum.

The loans which the Board have granted under the Burials Acts in the course of the financial year to which the Report applies, have all been made repayable in 20 years, with one exception, viz., the case of the loan to the Burial Board of Market Harborough, in which the Lords Commissioners of Her Majesty's Treasury, pursuant to Section 11 of the 38 & 39 Vict. c. 89, upon recommendation by the Loan Commissioners under special circumstances, gave authority for extension of the period to 30 years. The Commissioners' loans under the Burials Acts all bear interest at 5 per cent. per annum.

The loans granted during the year under the Poor Law Amendment Acts call for no special mention.

The loans, in all 52,921 *l.*, granted by the Commissioners in 1877-78 under "The Labouring Classes Dwelling Houses Act, 1866," have all been for providing dwellings within the area of the metropolitan district, on sites at Battersea, Vauxhall, parish of St. Luke's Middlesex, King's Cross, and Spitalfields; the plans, specifications, and estimates of cost of the buildings were duly approved by Her Majesty's Board of Works and Public Buildings, as required by Treasury Rules and Regulations, and the accommodation was reported on by that Board as being suitable and sufficient for occupation by persons of the labouring classes.

A further loan of 13,300 *l.* was granted by the Board in November 1877, under the 31 & 32 Vict. c. 81 and 39 & 40 Vict. c. 31, to the Portpatrick Railway Company, partly for discharge of debentures, and partly to defray the cost of works of extension and improvement of stations, &c. The total sum granted by way of loan to the Portpatrick Railway Company by the Loan Commissioners now amounts to 144,141 *l.*

Grants of loans under the Harbours and Passing Tolls Act, 1861, have been made by the Loan Commissioners in 1877-78 to the authorities of the following harbours, viz.:

"Eyemouth Harbour," County of Berwick; 1,200 *l.* for repairing damage to the pier at the entrance of the harbour during a gale of wind in January 1877.

"Macduff Harbour," County of Banff; 5,000 *l.* for works to serve the purpose of providing an inner harbour, with increased shelter for the fishing boats and other vessels.

"Peterhead Harbour," County of Aberdeen; 30,000 *l.* for the excavation and deepening of the entrances to the north and south harbours, the removal of two dangerous rocks near the west pier of the south harbour, and the excavation and deepening of that harbour over the whole of its area.

"Falmouth Harbour"; 2,000 *l.* for further works of dredging of the harbour in extension of those for which the Loan Commissioners had already in 1875

and 1876 made advances amounting in all to 10,000 *l.*; such further works being intended for enlarging the anchorage area, an accommodation shown to be much required for the increasing number of vessels arriving from all parts of the world to receive orders for their ports of final destination, or to repair damages, or discharge cargo.

In the Loan Commissioners' Report for 1876-77 it was stated that the Trustees of the Town and Harbour of Borrowstounness, in the county of Linlithgow, had, in 1875, made application for a loan of 50,000 *l.* for the purposes of proposed works of improvement of their harbour on the foreshore of the Frith of Forth, but that the Loan Commissioners had not considered the harbour revenue at that time a sufficient security for an advance of more than 6,000 *l.*; the harbour revenues have subsequently shown a considerable increase, and the Loan Commissioners in 1877-78, upon a renewed application by the harbour trustees, have granted by way of loan a further sum of 14,000 *l.* for the purposes of the proposed works. The loan is made repayable in 20 years, and bears interest at 5 per cent. per annum.

4. The sums advanced by this Board in each financial year from 1st April 1869 to 31st March 1878, a period of 10 years, have been as follows:—

Year.	Sums Advanced.	Year.	Sums Advanced.
	£.		£.
1869 - - -	773,887	1874 - - -	2,071,848
1870 - - -	896,904	1875 - - -	2,320,359
1871 - - -	561,585	1876 - - -	3,320,411
1872 - - -	371,829	1877 - - -	3,240,622
1873 - - -	560,937	1878 - - -	4,306,524

The total sums outstanding for principal on the 31st March in each of the 10 years referred to (including sums outstanding in respect of advances made prior to 31st March 1869), have been as follows:—

Year.	£. s. d.	Year.	£. s. d.
31 March 1869 - -	7,787,198 19 4	31 March 1874 - -	9,585,901 1 7
31 March 1870 - -	8,042,411 12 2	31 March 1875 - -	11,448,468 7 8
31 March 1871 - -	8,045,633 9 10	31 March 1876 - -	14,378,267 9 11
31 March 1872 - -	7,836,371 6 -	31 March 1877 - -	16,891,050 3 7
31 March 1873 - -	7,924,011 9 11	31 March 1878 - -	20,582,677 15 -

From the foregoing statements it will be seen that the principal sums outstanding in respect of this Board's advances in each of the five financial years, 1868 to 1873, show but little variation one year with another, but in the five succeeding years the increase in the outstanding balances became very marked, rising from nearly 8,000,000 *l.* on 31st March 1873 to over 20,000,000 *l.* on 31st March 1878.

The large increase in the amount of the advances arises from Parliament having sanctioned the advance of money by this Board for certain purposes at rates of interest below those upon which loans could be effected in the open market.

The Acts of Parliament referred to are the Education Act of 1870, which authorised the advance of money to School Boards in England at 3½ per cent. interest, the Education (Scotland) Act of 1872, which authorised advances upon the same terms to School Boards in Scotland, the Public Health Act, 1872, which authorised advances to Sanitary Authorities in England at 3½ per cent., or such other rates as might be fixed by the Treasury to protect the Exchequer from loss, and the Public Health (Scotland) Act, 1875, which authorised advances to Sanitary Authorities in Scotland upon similar terms, the rates fixed by the Treasury for sanitary loans being 3½ per cent. for loans spread over a period not exceeding 30 years, 3¾ per cent. where the period exceeds 30 years but does not exceed 40 years, and 4 per cent. where the period exceeds 40 years but does not exceed 50 years.

By the Artizans and Labourers Dwellings Improvement Acts, 1875 (England and Scotland), loans for the purposes of those Acts are to be advanced on the same terms as loans to Sanitary Authorities under the Public Health Acts.

The

The powers under the Education Acts and the Public Health Act, 1872, hardly came into operation before 31st March 1873, less than 300,000*l.* having been advanced thereunder up to that time, but during the five succeeding years the advances under the Acts referred to were as follows:

	1873-74.	1874-75.	1875-76.	1876-77.	1877-78.	Total.
	£.	£.	£.	£.	£.	£.
English School Boards -	1,418,551	1,339,040	1,556,656	1,814,629	1,795,707	7,925,183
Scotch „ „ - -	5,010	336,514	788,517	441,477	380,919	1,952,457
English Sanitary Authorities	265,316	460,979	607,629	772,276	837,591	2,959,491
Scotch „ „ -	- -	- -	- -	100,390	205,984	290,374
Total - - - £.	1,688,877	2,137,153	2,952,802	3,128,772	3,219,901	13,127,505

Of the total principal sums which are stated to have been outstanding on the 31st March in each of the four years 1874-77, the following tables show the sums outstanding in respect of advances to School Boards and Sanitary Authorities under the Acts referred to, and the sums which were repaid in respect of those advances in the subsequent year, the loans for the most part being repayable by yearly instalments from the date of advance.

	Principal Outstanding.	Principal repaid in the ensuing Year.	Rate per Cent. of Principal repaid.
31 March 1874:	£. s. d.	£. s. d.	£. s. d. £.
English School Boards - -	1,709,022 3 10	17,261 10 4	1 - 2¼ per 100
Scotch „ „ - -	5,010 - -	197 14 11	3 18 11 „ 100
English Sanitary Authorities -	265,316 - -	5,729 11 1	2 3 2 „ 100
31 March 1875:			
English School Boards - -	3,031,400 13 6	29,619 - 8	- 19 7 per 100
Scotch „ „ - -	341,326 5 7	9,434 17 3	2 15 3 „ 100
English Sanitary Authorities -	720,665 8 11	16,567 7 1	2 5 11½ „ 100
31 March 1876:			
English School Boards - -	4,557,437 12 10	45,019 7 6	- 19 9 per 100
Scotch „ „ - -	1,120,408 7 10	23,822 2 4	2 2 6 „ 100
English Sanitary Authorities -	1,311,627 1 10	30,259 1 11	2 6 1½ „ 100
31 March 1877:			
English School Boards - -	6,327,047 5 4	70,486 8 1	1 2 3¼ per 100
Scotch „ „ - -	1,538,063 5 6	31,881 6 8	2 1 5½ „ 100
English Sanitary Authorities -	2,053,643 19 11	49,007 12 2	2 7 9½ „ 100
Scotch „ „ - -	100,390 - -	2,688 2 2	2 10 9¾ „ 100

No advance was made under the Artizans, &c. Acts before the financial year 1877-78.

The increase in the outstanding balances is due not only to the amount advanced, but also to the length of the period allowed for repayment under the Acts referred to, 50 years being allowed as a maximum.

It should also be mentioned that the smallness of the amount of principal annually repaid arises not only from the length of the periods allowed for repayment, but also from local authorities repaying their loans by way of annuity; that is to say, by an equal annual sum of principal and interest combined during the whole period of the loan, instead of by equal annual instalments of the principal, with a yearly diminishing amount of interest. The former mode of repayment, which is authorised by the borrowers' Acts, is, in the majority of cases, asked for, so as to make the burden on the ratepayers year by year the same.

By this mode of repayment the amount applicable to the reduction of principal in the first year is very small indeed, but increases annually.

The annuity to repay 100*l.* with interest at 3½ per cent. in 50 years is 4*l.* 5*s.* 3*d.*, consequently 15*s.* 3*d.* only out of the first payment is applicable to the discharge of principal.

Under the Acts particularly mentioned the term allowed for repayment cannot exceed the period named in the sanction of the Central Department of the Government which authorises the borrowing, and the maximum period which the Government Department is authorised to allow to borrowers is fixed by Parliament. In cases of loans to School Boards in England the Education Department is the Central Department, and in Scotland the Board of Education. For loans to Sanitary Authorities in England the Local Government Board, and in Scotland the Board of Supervision. These sanctions limit the term for repayment, whether the borrowers raise their loans from this Board or in the open market. As regards, however, the Public Works Loan Commissioners, there is a further provision in the Acts referred to, that they may make advances repayable within such periods as may be recommended by the central authority, but not exceeding 50 years. From the figures already given it will be seen that the amount of repayments in the cases of loans to English School Boards are, in proportion to the amounts advanced, the smallest, and this arises from the term for repayment being in nearly all cases 50 years.

5. On the subject of the term for repayment of loans, the Public Works Loans Act, 1875, contains a provision (Section 11) that the Commissioners, in considering whether the period for the repayment of a loan should or should not be the full period authorised, should have regard to the durability of the work for the purpose of which the loan was granted, and to the expediency of the cost of the work being paid by the generation of persons who will immediately benefit by such work, and in exercise of the duty thus imposed upon them the Commissioners have in several instances of loans under the Elementary Education Acts declined to allow the full period of 50 years, notwithstanding the recommendations of the Education Department.

The cases in which they have thus acted may be divided into three heads:

(*a*) Where the School Boards themselves have desired a shorter period for repayment than that recommended by the Education Department.

(*b*) Where the purposes for which such loans are required consist of enlarging, improving, or fitting up school-houses, or the school-houses are held for terms of years less than the periods recommended.

(*c*) Where small further amounts are required for completing schools, and for which the Commissioners have already advanced large sums, repayable in 50 years.

The Commissioners have not reduced the term for repayment recommended by the Education Department where the loans have been required for providing new schools, although they would have been glad if the Education Department had not adopted the rule of recommending the full period of 50 years.

	£.
The loans of which the duration has been reduced at the request of the borrower, number 39, and amount to - - - - -	69,610
Those reduced by the Commissioners, falling under Classes B. and C., number 78, and amount to - - - - - -	35,097
TOTAL - - - £.	104,707

The Education Department have objected to the course which the Commissioners have adopted in reducing the period of repayment in the cases referred to, and mainly upon the grounds that the object with which Section 10 of the Education Act, 1873, was framed, was to cast upon *them* the responsibility of *fixing* the particular number of years over which the repayment of moneys borrowed should be spread, and that School Boards cannot spread their loans over any other period than that which has been thus fixed.

The Commissioners, however, consider that the object of the section referred to was to place, by means of the Education Department, a check or limit upon the maximum term of 50 years authorised by the Act, and not to compel the borrowing for a specific term; and further, that they are under no obligation to lend for the whole period for which School Boards may have to borrow, and that the sanctions and recommendations of the Education Department do not relieve the Commissioners from their responsibilities under the section of the Public Works Loans Act, 1875, before referred to, as to the term for which they advance money.

money. This difference of opinion was referred to in the Reports of the Public Works Loan Commissioners for 1875-76 and 1876-77, but has not been removed during the financial year to which this Report relates. The Commissioners have reason to believe that an agreement by which the term for repayment of loans under the Education Acts should be regulated, may now be arrived at.

The discussion referred to has raised a question of some importance, namely, what is the object of Parliament in requiring the sanction of a department of the Government to the term for which a loan is to be borrowed? Is it to impose upon the department the duty of fixing the exact number of years over which the money *shall* be spread, and of compelling the local authority to spread the money borrowed over a certain term, neither more nor less, or of placing a limit to the number of years over which the loan *may* be spread? The Education Department take the former, and the Commissioners the latter view.

6. The Commissioners call attention to the fact that, although the amount of loans under the Education and Sanitary Acts have been so large, over 13 millions, there are no arrears, all payments of principal and interest falling due on or before the 31st March 1878 having been discharged prior to the date of this Report.

The sums paid on account of principal and interest during the last financial year, in respect of the loans referred to, amounted to over 500,000*l.*

The Commissioners find that the large majority of local authorities under the Acts mentioned pay with great regularity on or before the days named, and that the sums not then paid are of small amount, and are discharged within very short periods after they fall due. These facts are of importance now that the securities of local authorities are, by the Local Loans Act, 1875, made suitable to any lender, and can be issued in the form of debentures and debenture stock, and that the loans can be made repayable in the same manner as ordinary debentures and debenture stock.

7. The accounts of the several outstanding loans advanced by the Public Works Loan Commissioners are rendered by them month by month to the Comptroller and Auditor General, pursuant to directions given by the Treasury under Section 43 of the Public Works Loans Act, 1875.

The examination of the accounts for the year 1876-77 has been completed, and the Auditor General's remarks thereon have been submitted to Parliament.

8. The following statement shows the sums which intending borrowers gave notice, under Section 13 of Public Works Loan Act, 1875, that they should probably apply to borrow during the financial year 1878-79.

The amount of like notices for the preceding year 1877-78, and the amount actually advanced in that year, are also shown in the statement.

	1877-78.		1878-79.
	Notices given of Amounts intended to be applied for in 1877-78.	Amounts actually advanced in 1877-78.	Notices given of Amounts intended to be applied for in 1878-79.
	£.	£.	£.
School Boards, England	2,971,390	1,795,707	3,385,391
Ditto - Scotland	573,241	380,919	453,594
Miscellaneous, England	5,984,975	1,823,592	7,074,904
Ditto - Scotland	411,679	210,445	439,524
Burial Boards	73,166	16,661	66,490
Ireland	17,000	nil	12,500
Harbours	373,600	27,200	906,800
Labouring Classes Dwellings	146,000	52,000	317,521
£.	10,551,051	4,306,524	12,656,724

The statement as to intending borrowers for the financial year 1878-79 has been duly transmitted in detail to the Lords Commissioners of Her Majesty's Treasury, in compliance with the Section above referred to.

By order of the Board,

Public Works Loan Board, May 1878.

W. W. Willink, Secretary.

APPENDIX (A.)

ACCOUNT of the PUBLIC WORKS LOAN COMMISSIONERS, showing, to the 31st March 1878, the Amou
the Amounts Advanced by the Commissioners; the Amounts paid into the Exchequer

ISSUES AUTHORISED.			FOR WHAT PURPOSES ADVANCED.	ADVANCES BY PUBLIC WORKS LOAN COMMISSIONERS.	
				Amounts Advanced in the Year.	Total Amount Advanced to 31st March 1878.
	£. s. d.		GREAT BRITAIN:	£.	£. s.
			Annuity Tax Abolition, Edinburgh Town Council	- -	56,500 -
			Artizans and Labourers Dwellings Improvement Act.	925,000	925,000 -
			Baths and Washhhouses - - - - - -	- -	81,846 -
			Bridges and Ferries - - - - - -	- -	352,290 -
			Burial Boards - - - - - - -	16,661	866,047 -
			Canals, Rivers, and Drainage - - - -	25,000	1,735,600 -
			Cattle Diseases Prevention Act, 1866 - - -	- -	290,000 -
			Churches and Parochial Chapels - - -	- -	440,218 -
			Harbours, Docks, and Piers - - - -	6,000	769,500 -
			Improvement of Cities and Towns, and Battersea Park.	- -	916,100 -
			Labouring Classes Dwelling Act, 1866-67 - -	62,000	255,670 -
			Law Courts, Gaols, and other Public Buildings -	- -	820,486 -
			Local Boards, &c. - - - - - - -	15,412	1,147,067 -
			Lunatic Asylums - - - - - - -	- -	410,656 -
			Police Commissioners, Scotland - - - -	- -	32,555 -
			Portpatrick Railway Company - - - -	13,300	134,141 -
			Public Works (Manufacturing Districts) Act, 1863-64.	- -	1,759,015 -
			Roads - - - - - - - - -	- -	666,270 -
			Sanitary Loans (England) - - - - -	837,591	2,943,791 -
			Sanitary Loans (Scotland) - - - -	205,684	306,074 -
			School Boards (England) - - - - -	1,795,707	3,217,941 -
Amount issued for the purpose of Advances by the Commissioners under 39 & 40 Vict. c. 31, and sundry previous Acts - - - -		38,182,679 17 6	School Boards (Scotland) - - - - -	380,919	1,952,457 -
			Workhouses - - - - - - - -	6,050	3,944,042 -
			IRELAND:		
			Belfast and County Down Railway Company -	- -	164,804 7 9
			Burial Boards - - - - - - - -	- -	18,678 -
			Harbours - - - - - - - -	- -	40,850 -
	£. s. d.		Railways - - - - - - - -	- -	2,036,300 -
Amount of Advances to 31st March 1878, as shown in the annexed Account -	34,814,688 16 10		Railway Companies (Ireland) Temporary Advances Act, 1866.	- -	150,356 -
			Roads - - - - - - - - -	- -	12,000 -
			Sewage Utilization - - - - - - -	- -	11,035 -
			Waterworks - - - - - - - -	- -	479,000 -
Amount excluded in respect of Services, the accounts of which are closed, Surplus Issues repaid to the Exchequer, &c. - - -	*3,289,293 9 9		Workhouses - - - - - - - -	- -	2,000 -
		38,103,982 6 7			
			HARBOURS AND PASSING TOLLS, &c., ACT, 1861:		
			In England and Wales - - - - -	4,000	908,270 -
			„ Scotland - - - - - - -	13,200	578,700 -
			„ Ireland - - - - - - -	- -	272,279 9 1
			„ Isle of Man - - - - - - -	- -	166,600 -
			„ Colonies - - - - - - -	10,000	195,000 -
BALANCE OF ISSUES - - - £.		78,697 10 11	£.	4,306,524	34,814,688 16 10

* See Appendix (F.), page 84.

APPENDIX (A.)

Issued for the purpose of ADVANCES by way of LOAN under various Acts regulating their Proceedings; Repayment of such Advances, and for Interest thereon; and the Balance Outstanding.

AMOUNTS REPAID DURING THE YEAR, AND INTEREST.		REPAYMENTS AND REMISSIONS.			BALANCE OUTSTANDING.			
		Total Payment into the Bank of England in Repayment of Principal, and for Interest.		Amounts Remitted.	Principal.		Interest.	TOTAL.
Principal.	Interest.	Principal.	Interest.		In Arrear.	Not yet Due.		
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
5,650 - -	741 11 3	39,550 - -	9,351 16 3	- - -	- - -	16,950 - -	- -	16,950 - -
- - -	- - -	- - -	- - -	- - -	- - -	925,000 - -	- -	925,000 - -
1,465 - -	92 - -	81,471 - -	34,073 17 4	- - -	- - -	375 - -	- -	375 - -
28 13 10	4,275 6 2	289,751 16 3	180,796 3 11	7,575 - -	54,963 3 9	- - -	36,911 12 3	91,874 16 -
26,916 19 3	10,751 4 3	652,320 6 10	384,044 10 7	1,850 - -	106 19 8	211,772 13 6	130 6 4	212,009 19 6
4,801 - -	9,518 10 6	1,441,738 5 8	580,575 10 8	- - -	43,270 3 8	250,582 10 8	- -	293,861 14 4
7,508 18 1	6,718 16 11	90,775 2 10	89,497 3 1	- - -	- - -	199,224 17 2	- -	199,224 17 2
8,524 10 2	2,078 17 5	387,952 - 3	159,513 18 10	675 14 -	7,824 16 1	43,765 9 8	3,537 1 4	55,127 7 1
10,648 12 11	4,595 16 11	614,136 19 -	249,512 14 6	13,638 5 1	22,412 4 7	110,312 11 4	14,463 - 5	156,187 16 4
12,215 - -	2,690 9 8	814,190 - -	282,419 16 10	- - -	100,000 - -	1,910 - -	85,537 10 8	187,447 10 8
2,670 8 4	7,116 - 4	26,945 14 11	39,777 17 3	- - -	420 1 1	228,404 4 -	170 3 1	228,994 8 2
33,141 18 5	4,088 13 -	758,597 5 5	337,384 19 3	- - -	- - -	67,838 14 7	- -	67,838 14 7
36,225 3 4	18,596 2 1	713,613 9 4	346,388 7 6	265 18 4	3,705 - -	429,482 12 4	3,693 18 10	436,881 11 2
9,862 17 4	4,000 2 9	338,537 17 4	198,850 17 3	- - -	- - -	72,118 2 8	- -	72,118 2 8
1,441 3 10	1,103 19 7	11,570 15 2	11,798 1 4	- - -	- - -	20,984 4 10	- -	20,984 4 10
3,452 13 2	3,462 10 8	22,887 4 4	25,069 8 3	- - -	- - -	111,253 15 8	- -	111,253 15 8
61,492 6 11	36,509 3 2	783,905 9 8	507,918 18 5	- - -	- - -	975,109 10 4	- -	975,109 10 4
481 5 -	681 9 2	555,438 11 1	301,611 7 4	38,925 14 11	69,555 14 -	2,350 - -	116,033 12 5	187,939 6 5
49,007 12 2	72,836 9 6	101,423 12 3	155,956 3 11	- - -	*512 7 4	2,841,855 - 5	*604 8 6	2,842,971 16 3
2,638 2 2	4,510 15 5	2,778 2 2	4,596 13 0	- - -	- - -	303,295 17 10	- -	303,295 17 10
70,486 8 1	225,063 9 11	165,673 2 9	560,948 3 11	- - -	*232 11 4	8,052,035 5 11	*741 - 8	8,053,008 17 10
31,881 6 8	53,349 17 3	65,131 1 2	104,656 2 6	- - -	*96 11 7	1,887,259 7 3	*142 7 7	1,887,468 6 5
147,595 6 7	23,497 7 -	3,620,258 18 7	1,203,396 17 1	3,500 - -	- - -	320,883 1 5	- -	320,883 1 5
- - -	6,431 1 7	44,801 17 4	41,750 8 10	- - -	- - -	120,002 10 5	- -	120,002 10 5
483 18 -	229 17 11	14,564 - -	5,305 9 7	- - -	- - -	4,114 - -	- -	4,114 - -
105 - -	92 - -	21,705 - -	11,666 10 2	- - -	7,833 6 8	11,311 13 4	1,800 - -	20,945 - -
36,152 9 8	33,361 14 9	1,825,541 14 7	1,229,647 15 7	24,671 6 9	41,432 - -	794,654 18 8	32,218 12 9	868,305 11 5
534 18 -	1,620 - -	121,490 18 -	43,699 15 6	- - -	8,400 - -	29,465 2 -	- -	37,865 2 -
- - -	- - -	600 - -	420 - -	- - -	11,400 - -	- - -	- -	11,400 - -
472 10 8	430 12 9	3,378 13 7	3,176 16 8	- - -	- - -	7,656 6 5	- -	7,656 6 5
5,300 16 3	14,271 13 9	127,561 1 -	217,940 5 6	- - -	- - -	351,438 19 -	- -	351,438 19 -
100 - -	50 - -	1,100 - -	819 8 1	- - -	- - -	900 - -	- -	900 - -
13,623 19 1	34,455 9 1	121,831 3 1	302,654 19 3	- - -	12,624 14 7	863,814 2 4	2,775 - 6	879,213 17 5
8,999 1 8	11,305 4 4	229,238 13 2	108,839 15 2	- - -	- - -	349,461 6 10	- -	349,461 6 10
2,551 9 3	11,098 14 5	24,975 0 6	70,534 8 3	- - -	- - -	247,303 19 7	4,352 13 11	251,656 13 6
1,668 13 1	4,658 12 10	11,118 14 10	41,216 5 5	- - -	4,312 15 10	151,168 9 4	5,402 17 1	160,884 2 3
3,566 12 -	6,124 10 4	14,455 2 8	23,138 14 8	- - -	- - -	180,544 17 4	- -	180,544 17 4
595,700 14 4	620,923 4 8	14,140,909 2 9	8,088,010 1 5	91,101 19 1	389,078 10 2	20,193,599 4 10	308,514 6 4	20,891,192 1 4

£. 1,216,623. 19. 0. £. 20,582,077 15 -

* These sums have been discharged since 31st March 1878.

Appendix (B.)

OUTSTANDING ADVANCES, showing in detail the Amounts advanced in 1877-78; Amounts previously advanced; Total Advanced; and Balance of Principal outstanding on 31st March 1878.

GREAT BRITAIN.

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
Annuity Tax Abolition:				
Edinburgh Town Council	nil	56,500 – –	56,500 – –	16,950 – –
Artizans' and Labourers' Dwellings:				
Birmingham Urban Sanitary Authority	850,000	nil	850,000 – –	850,000 – –
Liverpool Urban Sanitary Authority	50,000	,,	50,000 – –	50,000 – –
Wolverhampton Urban Sanitary Authority	25,000	,,	25,000 – –	25,000 – –
	£. 925,000	– – –	925,000 – –	925,000 – –
Baths and Washhouses:				
Huntingdon	nil	300 – –	300 – –	225 – –
Stockton	,,	3,000 – –	3,000 – –	150 – –
	£.	3,300 – –	3,300 – –	375 – –
Bridges and Ferries:				
Chelsea Bridge	nil	45,000 – –	45,000 – –	45,000 – –
Rocester Bridge	,,	3,000 – –	3,000 – –	406 15 2
Saltash Bridge	,,	3,700 – –	3,700 – –	3,214 1 3
Tay Ferries	,,	7,200 – –	7,200 – –	1,942 7 4
Teignmouth and Shaldon Bridge	,,	8,000 – –	8,000 – –	4,400 – –
	£.	66,900 – –	66,900 – –	54,963 3 9
Burial Boards:				
Alnwick	nil	2,200 – –	2,200 – –	554 – 3
Aberystwith	,,	2,400 – –	2,400 – –	760 – –
Andover	,,	2,650 – –	2,650 – –	1,687 – –
Annesley and Felley	,,	1,000 – –	1,000 – –	833 6 8
Aldborough	,,	350 – –	350 – –	262 10 –
Aldershot	,,	2,000 – –	2,000 – –	625 – –
Audlem	,,	2,000 – –	2,000 – –	1,864 6 2
Ashover	,,	600 – –	600 – –	570 – –
Ashton-under-Lyne	,,	18,000 – –	18,000 – –	10,966 13 4
Belper	,,	7,000 – –	7,000 – –	350 – –
Bakewell	,,	2,800 – –	2,800 – –	140 – –
Beeston	,,	1,200 – –	1,200 – –	60 – –
Basingstoke	,,	16,000 – –	16,000 – –	175 – –
Bathwick	,,	1,200 – –	1,200 – –	520 – –
Bicester	,,	1,600 – –	1,600 – –	766 13 4
Bangor	,,	3,000 – –	3,000 – –	1,400 – –
Bramhope	,,	750 – –	750 – –	375 – –
Bacup	,,	6,750 – –	6,750 – –	4,016 13 4
Battle	,,	2,000 – –	2,000 – –	1,000 – –
Beaumaris	,,	2,000 – –	2,000 – –	1,000 – –
Bilton-with-Harrogate	,,	4,000 – –	4,000 – –	2,150 – –
Brentwood	,,	750 – –	750 – –	400 – –
Barton-upon-Humber	,,	3,000 – –	3,000 – –	1,350 – –
Blantyre	,,	1,500 – –	1,500 – –	1,350 – –
Bassingbourne and Kneesworth	800	nil	800 – –	800 – –

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
BURIAL BOARDS—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Cromer	nil	650	650	151 10 7
Chichester	"	3,000	3,000	150
Campbeltown (Argyll)	"	1,300	1,300	65
Chesham	"	2,500	2,500	125
Coalville	"	450	450	22 10
Church Coppenhall	"	850	850	777 13 2
Codnor and Loscoe	"	900	900	780
Christchurch	"	500	500	400
Cowpen	"	4,400	4,400	4,106 13 4
Charlton	"	4,500	4,500	4,200
Clee	5,300	nil	5,300	5,300
Cardiff	nil	14,000	14,000	1,766 13 4
Croyland	"	1,520	1,520	76
Croydon	"	13,500	13,500	5,766 13 4
Chipping Ongar	"	1,000	1,000	633 6 8
Chipping Sodbury	"	500	500	283 6 8
Cirencester	"	1,700	1,700	376 13 4
Darlaston	"	3,780	3,780	189
Denham	"	500	500	216 13 4
Dunstable	"	3,000	3,000	1,400
Dronfield	2,500	5,000	7,500	7,132 14 3
Dalziel	1,000	nil	1,000	950
Egham	nil	1,850	1,850	92 10
Ealing	"	6,500	6,500	2,816 13 4
Escomb	"	750	750	375
Eye	"	650	650	390
East Moulsey	"	700	700	443 6 8
East Grinstead	"	2,000	3,000	1,566 13 4
East Dereham	"	2,000	2,000	1,446 13 4
Eckington	800	4,200	5,000	4,859 18 2
Elland	nil	500	500	475
Fletching	"	250	250	12 10
Farnborough	"	700	700	280
Farnley	"	1,500	1,500	600
Fenny Stratford	"	1,500	1,500	750
Fulham	"	7,000	7,000	2,450
Frimley	"	450	450	300
Farnham	"	1,000	1,000	750
Featherstone, Purston, &c.	"	850	850	708 6 8
Great Coggeshall	"	1,500	1,500	424 10
Great Warley	"	200	200	10
Goudhurst	"	480	480	400
Gildersome	"	1,000	1,000	566 13 4
Gresford	"	900	900	468
Handsworth (Yorks)	"	1,100	1,100	55
Husbands Bosworth	"	1,500	1,500	75
Hales Owen District	"	3,000	3,000	150
Haverfordwest	"	200	200	10
Hessle	"	1,400	1,400	490
Haverhill	"	1,400	1,400	886 13 4
Highworth	"	1,200	1,200	800
Henley-on-Thames	"	3,000	3,000	2,000
Hounslow	"	1,600	1,600	1,066 13 4
Hay	"	1,000	1,000	723 6 8
Helpringham	"	350	350	50
High and Low Bishopside	"	3,200	3,200	2,816 19 8
Harbury	"	600	600	520
Hever	"	100	100	90
Ince-in-Mackerfield	"	600	600	30
Iron Acton	"	325	325	121 17 6
Kettering	"	4,850	4,850	2,585
Kilmore and Kilbride	"	1,700	1,700	615
Kirkby Ravensworth	"	300	300	210
Kingston-on-Thames	"	600	600	360

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Burial Boards—continued.				
Luddenden	nil	2,100 – –	2,100 – –	840 – –
Llandaff	„	1,500 – –	1,500 – –	150 – –
Llangefni	„	1,300 – –	1,300 – –	823 6 8
Leamington Priors	„	8,000 – –	8,000 – –	5,333 6 8
Llanasa	„	930 – –	930 – –	511 – –
Llanfyllin	200	500 – –	700 – –	676 1 9
Llanfairtalhaiarn	nil	300 – –	300 – –	285 – –
Moresby	„	260 – –	260 – –	121 6 8
Market Deeping	„	1,000 – –	1,000 – –	400 – –
March	„	3,500 – –	3,500 – –	2,763 16 –
Market Drayton	„	3,500 – –	3,500 – –	2,216 13 4
Misterton and West Stockwith	„	550 – –	550 – –	348 3 4
Malpas	„	1,900 – –	1,900 – –	1,787 10 6
Market Harborough	3,000	nil –	3,000 – –	3,000 – –
Newport (Isle of Wight)	nil	2,100 – –	2,100 – –	330 – –
Newmarket	„	2,000 – –	2,000 – –	733 6 8
Newsham and South Blyth	„	2,000 – –	2,000 – –	200 – –
New Woodstock	„	750 – –	750 – –	325 – –
Newport Pagnell	„	2,000 – –	2,000 – –	933 6 8
New Wortley	„	7,600 – –	7,600 – –	4,053 6 8
Newland	„	2,600 – –	2,600 – –	1,733 6 8
Norton	„	3,000 – –	3,000 – –	2,496 11 6
North Lopham	„	150 – –	150 – –	60 – –
North Muskham	„	180 – –	180 – –	174 3 8
Neilston	„	1,500 – –	1,500 – –	1,350 – –
Oldbury	„	500 – –	500 – –	25 – –
Oakham	„	3,500 – –	3,500 – –	350 – –
Otley, Lindley, and Newall-with-Clifton	„	3,300 – –	3,300 – –	2,188 14 9
Odiham	„	2,000 – –	2,000 – –	866 13 4
Oundle	„	2,650 – –	2,650 – –	1,166 13 4
Ollerton and Rufford	„	250 – –	250 – –	125 – –
Prendergast	„	620 – –	620 – –	207 6 8
Pittington (Durham)	„	380 – –	380 – –	57 – –
Painswick	„	1,300 – –	1,300 – –	650 – –
Presteign	„	1,400 – –	1,400 – –	700 – –
Pembroke Dock	„	1,600 – –	1,600 – –	1,396 8 8
Portslade	„	1,500 – –	1,500 – –	1,200 – –
Potterne	„	900 – –	900 – –	820 17 5
Penistone	1,500	nil –	1,500 – –	1,500 – –
Portsmouth	„	4,000 – –	4,000 – –	3,870 4 8
Rotherham	„	3,700 – –	3,700 – –	1,429 19 7
Ruabon	„	1,000 – –	1,000 – –	100 – –
Ramsey	„	2,500 – –	2,500 – –	250 – –
Rawmarsh	„	1,410 – –	1,410 – –	268 15 –
Ringwood	„	2,000 – –	2,000 – –	600 – –
Reigate	„	3,500 – –	3,500 – –	1,575 – –
Radcliffe	„	700 – –	700 – –	536 13 4
Rye	„	800 – –	800 – –	760 – –
St. Pancras	„	12,000 – –	12,000 – –	1,366 13 4
St. John, &c., Newcastle-on-Tyne	„	10,000 – –	10,000 – –	2,891 10 –
St. John, Westgate, and Elswick	„	3,000 – –	3,000 – –	866 10 –
St. John the Baptist, Margate	„	3,900 – –	3,900 – –	1,128 7 –
St. Nicholas, Newcastle-on-Tyne	„	1,000 – –	1,000 – –	50 – –
St. Issells, Pembroke	„	655 – –	655 – –	92 3 4
Sunderland	„	6,000 – –	6,000 – –	3,883 6 8
Stroud	„	1,700 – –	1,700 – –	1,080 – –
St. Michael, &c., New Malton	„	2,000 – –	2,000 – –	200 – –
St. Nicholas, Durham	„	1,400 – –	1,400 – –	666 13 4
Sowerby Bridge, York	„	5,650 – –	5,650 – –	1,145 – –
Sale	„	5,500 – –	5,500 – –	2,566 13 4
St. Cuthbert Benfieldside	„	6,500 – –	6,500 – –	4,241 13 4
Shipston-upon-Stour	„	2,000 – –	2,000 – –	1,133 6 8
Saints Mary and Chad, Stafford	„	3,500 – –	3,500 – –	2,100 – –

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
GREAT BRITAIN—*continued.*				
Burial Boards—*continued.*				
Saint Paul, Kent Town	nil	700 — —	700 — —	443 6 8
South Petherton	„	1,900 — —	1,900 — —	950 — —
Stanhope	„	350 — —	350 — —	140 — —
Snydale	1,200	nil	1,200 — —	1,200 — —
Sandbach	nil	1,070 — —	1,070 — —	1,017 19 3
Toddington	„	800 — —	800 — —	160 — —
Tottenham	„	1,200 — —	1,200 — —	866 12 10
Twickenham	„	6,800 — —	6,800 — —	4,366 13 4
Turvey	„	250 — —	250 — —	162 10 —
Tain	„	1,200 — —	1,200 — —	960 — —
Tregony and Cuby	„	300 — —	300 — —	274 4 9
Tullialan	161	nil	161 — —	161 — —
Uxbridge	nil	3,000 — —	3,000 — —	562 10 —
Uttoxeter	„	3,000 — —	3,000 — —	1,300 — —
Upper and Lower Wortley	„	4,000 — —	4,000 — —	2,206 13 4
Upton-on-Severn	„	1,700 — —	1,700 — —	1,020 — —
Wivenhoe	„	900 — —	900 — —	255 — —
Wellingborough	„	350 — —	350 — —	35 — —
Wallingford	„	3,000 — —	3,000 — —	1,300 — —
Wonersh	„	700 — —	700 — —	350 — —
Wrockwardine	„	350 — —	350 — —	186 13 4
Willingham	„	700 — —	700 — —	443 6 8
Wednesbury	„	10,000 — —	10,000 — —	6,400 — —
Wombwell	„	3,000 — —	3,000 — —	2,000 — —
Wath-upon-Dearn	„	3,000 — —	3,000 — —	2,420 12 5
Wortley	„	200 — —	200 — —	127 3 —
Wick	„	2,500 — —	2,500 — —	1,875 — —
Wetherby	„	1,400 — —	1,400 — —	1,213 6 8
Wickham Market	200	nil	200 — —	200 — —
Worcester	nil	5,000 — —	5,000 — —	250 — —
	£. 16,661	424,710 — —	441,371 — —	211,876 13 2
Canals, Rivers, and Drainage:				
Norwich and Lowestoft Navigation Company	nil	54,000 — —	54,000 — —	43,279 3 8
South Staffordshire Mines Drainage	„	125,000 — —	125,000 — —	118,611 15 3
Thames Conservancy Commissioners	„	40,000 — —	40,000 — —	32,790 15 5
Tyne Improvement Commissioners	„	100,000 — —	100,000 — —	99,250 — —
	£.	319,000 — —	319,000 — —	293,861 14 4
Cattle Diseases Prevention Act, 1866:				
Chester, Justices for the County of	£.	270,000 — —	270,000 — —	199,224 17 2
Churches and Parochial Chapels:				
Anwick	nil	285 — —	285 — —	28 10 —
Alvechurch	„	500 — —	500 — —	50 — —
Armsby	„	300 — —	300 — —	45 — —
All Saints, Cambridge	„	800 — —	800 — —	85 — —
Abbas Combe	„	435 — —	435 — —	174 — —
Asheldam	„	300 — —	300 — —	150 — —
Albury	„	300 — —	300 — —	178 10 3
Aldworth	„	210 — —	210 — —	115 10 —
Brightwell	„	200 — —	200 — —	10 — —
Bishop's Castle	„	1,000 — —	1,000 — —	50 — —
Baydon	„	300 — —	300 — —	42 18 11
Bosbury	„	200 — —	200 — —	20 — —
Brent Pelham	„	300 — —	300 — —	60 — —
Bellean-with-Aby	„	300 — —	300 — —	60 — —
Brinklow	„	300 — —	300 — —	60 — —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
CHURCHES AND PAROCHIAL CHAPELS—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Bettiscombe	nil	150 — —	150 — —	37 10 —
Biddisham	„	100 — —	100 — —	25 — —
Blunham	„	160 — —	160 — —	40 — —
Binstead	„	1,000 — —	1,000 — —	250 — —
Bridenbury	„	150 — —	150 — —	45 — —
Bradwell-juxta-Mare	„	400 — —	400 — —	120 — —
Bradenham	„	200 — —	200 — —	60 — —
Bicester	„	900 — —	900 — —	315 — —
Bradford	„	200 — —	200 — —	70 — —
Bawdrip	„	300 — —	300 — —	65 — —
Burgate	„	350 — —	350 — —	87 10 —
Bower Chalke	„	1,500 — —	1,500 — —	606 — —
Burton Abbots	„	200 — —	200 — —	90 — —
Bromham	„	200 — —	200 — —	80 — —
Bradley	„	300 — —	300 — —	120 — —
Burton-on-Strather	„	700 — —	700 — —	280 — —
Bole	„	400 — —	400 — —	180 — —
Britwell Salome	„	300 — —	300 — —	80 — —
Brettenham	„	150 — —	150 — —	67 10 —
Brinsop	„	150 — —	150 — —	67 10 —
Bletchley	„	750 — —	750 — —	337 10 —
Buckland	„	400 — —	400 — —	200 — —
Bempton	„	150 — —	150 — —	75 — —
Brize Norton	„	1,000 — —	1,000 — —	500 — —
Bampton	„	1,000 — —	1,000 — —	550 — —
Boxford	„	200 — —	200 — —	110 — —
Broadwood Kelly	„	150 — —	150 — —	82 10 —
Bradfield Combust	„	300 — —	300 — —	165 — —
Coaley	„	200 — —	200 — —	10 — —
Curry Rivel	„	1,000 — —	1,000 — —	100 — —
Caythorpe, &c.	„	1,000 — —	1,000 — —	150 — —
Crickhowell	„	400 — —	400 — —	60 — —
Chitterne All Saints	„	500 — —	500 — —	100 — —
Collingbourn Kingston	„	500 — —	500 — —	100 — —
Combe St. Nicholas	„	500 — —	500 — —	100 — —
Caterham	„	1,200 — —	1,200 — —	300 — —
Clovelly	„	300 — —	300 — —	90 — —
Castle Careinion	„	225 — —	225 — —	67 10 —
Charlynch	„	300 — —	300 — —	90 — —
Cheam	„	750 — —	750 — —	225 — —
Clutton	„	600 — —	600 — —	200 — —
Churston Ferrers	„	700 — —	700 — —	245 — —
Chewton Mendip	„	650 — —	650 — —	227 10 —
Chesterton	„	300 — —	300 — —	120 — —
Compton Abbas	„	500 — —	500 — —	225 — —
Croxton Kerrial	„	700 — —	700 — —	315 — —
Caldecote	„	188 — —	188 — —	93 12 6
Cuxton	„	500 — —	500 — —	250 — —
Chrishall	„	1,300 — —	1,300 — —	400 — —
Clanfield	„	300 — —	300 — —	165 — —
Diddlesbury	„	450 — —	450 — —	45 — —
Deerhurst	„	500 — —	500 — —	75 — —
Denham	„	600 — —	600 — —	120 — —
Denford	„	650 — —	650 — —	235 — —
Drayton Parslow	„	300 — —	300 — —	120 — —
Deddington	„	1,000 — —	1,000 — —	350 — —
Danbury	„	925 — —	925 — —	416 5 —
Dorington	„	400 — —	400 — —	180 — —
Dinedor	„	400 — —	400 — —	169 13 —
Eaton Bray	„	400 — —	400 — —	248 16 1
Edwin Ralph	„	200 — —	200 — —	50 — —
Eglosshayle	„	200 — —	200 — —	90 — —
Edlesborough	„	500 — —	500 — —	272 12 2
East Barkwith	„	750 — —	750 — —	445 13 5
Ewyas Harold	„	500 — —	500 — —	250 — —
Edgemonde	„	600 — —	600 — —	30 — —
East Dean	„	150 — —	150 — —	82 10 —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
CHURCHES AND PAROCHIAL CHAPELS—*continued.*				
Fiddington	nil	200	200	40
Frome Bishop	"	300	300	15
Folkingham, &c.	"	300	300	45
Fovant	"	2,000	2,000	500
Fornham All Saints	"	400	400	120
Forden	"	320	320	96
Fenny Stratford	"	600	600	45
Fremington	"	200	200	90
Forrabury	"	120	120	54
Findon	"	400	400	200
Faccombe	"	350	350	175
Fleckney	"	250	250	137 10
Forncett St. Mary	"	200	200	128 13 4
Great Malvern	"	4,000	4,000	400
Great Ringstead	"	630	630	189
Great Wishford	"	1,500	1,500	450
Gussage All Saints	"	300	300	120
Great Brickhill	"	600	600	240
Grays Thurrock	"	600	600	240
Great Easton	"	500	500	200
Godmersham	"	300	300	120
Great Clacton	"	600	600	240
Houghton Regis	"	300	300	270
Hardwicke	"	100	100	5
Hemswell	"	400	400	25
Horton	"	225	225	67 10
Hope Bowdler	"	100	100	30
Horsham	"	1,000	1,000	438 17 2
Headbourne Worthy	"	200	200	80
Helpston	"	450	450	180
Hopton	"	500	500	246 10 8
Heytesbury	"	2,000	2,000	800
Hoath	"	200	200	90
Hinton Charterhouse	"	300	300	135
Haughley	"	250	250	114 13 7
Harmston	"	775	775	387 10
Hayley-cum-Crawley	"	500	500	250
Holy Trinity	"	400	400	200
Hannington	"	300	300	150
Houghton Conquest	"	800	800	400
Harborough Magna	"	400	400	200
Higham	"	300	300	165
Itchingfield	"	500	500	245 3 8
Kilton	"	200	200	60
Kirkleavington	"	100	100	30
Kinnersley	"	400	400	200
Keymer	"	900	900	315
Leighton Buzzard	"	2,000	2,000	1,800
Leckhamstead	"	400	400	40
Llangenny	"	200	200	50
Little Hempston	"	300	300	75
Llyswen	"	200	200	50
Little Langford	"	1,000	1,000	300
Little Brickhill	"	500	500	175
Llanfihangelfechan	"	100	100	30
Leintwardine	"	900	900	315
Lesnewth	"	200	200	80
Lower Heyforth	"	350	350	175
Leaden Roding	"	200	200	100
Linwood	"	300	300	178 14 10
Llangathen	"	450	450	225
Lydeard St. Lawrence	"	300	300	165
Luppit	"	200	200	110
Little Marcle	"	200	200	110

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
CHURCHES AND PAROCHIAL CHAPELS—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Mowere	nil	600 — —	600 — —	600 — —
Marden	„	1,050 — —	1,050 — —	70 — —
Marshfield	„	800 — —	800 — —	104 12 9
Merriott	„	500 — —	500 — —	50 — —
Martock	„	1,000 — —	1,000 — —	150 — —
Minting	„	150 — —	150 — —	37 10 —
Manudon	„	700 — —	700 — —	210 — —
Milton Keynes	„	500 — —	500 — —	175 — —
Milton Clevedon	„	200 — —	200 — —	70 — —
Mursley	„	500 — —	500 — —	175 — —
Monkland	„	250 — —	250 — —	100 — —
Moreton-on-Lugg	„	350 — —	350 — —	157 10 —
Martinhoe	„	100 — —	100 — —	54 5 7
Milford	„	400 — —	400 — —	106 13 4
Mendham	„	800 — —	800 — —	360 — —
Molton	„	2,000 — —	2,000 — —	900 — —
Mappowder	„	400 — —	400 — —	200 — —
Munslow	„	300 — —	300 — —	102 16 8
Mordiford	„	500 — —	500 — —	275 — —
Newport	„	600 — —	600 — —	30 — —
North Moreton	„	230 — —	230 — —	11 10 —
Norton-sub-Hamden	„	100 — —	100 — —	25 — —
Northill	„	500 — —	500 — —	125 — —
Nempnett	„	200 — —	200 — —	70 — —
Newbottle	„	300 — —	300 — —	135 — —
Norton Canon	„	200 — —	200 — —	90 — —
Norton	„	400 — —	400 — —	200 — —
North Wootton	„	200 — —	200 — —	23 8 8
Otterford	„	200 — —	200 — —	30 — —
Ogbourne St. George	„	500 — —	500 — —	175 — —
Orleton	„	300 — —	300 — —	105 — —
Okeford Fitzpaine	„	400 — —	400 — —	160 — —
Oborne	„	110 — —	110 — —	38 10 —
Pencombe	„	400 — —	400 — —	100 — —
Partney	„	200 — —	200 — —	60 — —
Preston Plucknett	„	150 — —	150 — —	10 — —
Pangbourne	„	1,000 — —	1,000 — —	350 — —
Peterstow	„	400 — —	400 — —	140 — —
Pwllcrochan	„	150 — —	150 — —	60 — —
Preston-next-Faversham	„	1,600 — —	1,600 — —	640 — —
Piddlehinton	„	400 — —	400 — —	180 — —
Preston St. Mary	„	300 — —	300 — —	150 — —
Quarrington	„	180 — —	180 — —	54 — —
Reepham	„	200 — —	200 — —	40 — —
Ruskington	„	500 — —	500 — —	100 — —
Roberrow	„	100 — —	100 — —	35 — —
Riccall	„	700 — —	700 — —	245 — —
Romansleigh	„	300 — —	300 — —	120 — —
Radway	„	900 — —	900 — —	405 — —
Rumboldswhyke	„	200 — —	200 — —	90 — —
Roborough	„	200 — —	200 — —	100 — —
Rhôs Crowther	„	100 — —	100 — —	55 — —
Rufford	„	500 — —	500 — —	50 — —
Slebech	„	1,250 — —	1,250 — —	1,062 10 —
St. Mary-the-More	„	320 — —	320 — —	16 — —
South Carlton	„	200 — —	200 — —	20 — —
Slaugham	„	700 — —	700 — —	105 — —
Shifford	„	780 — —	780 — —	181 — —
Stratton Audley	„	300 — —	300 — —	60 — —
Stoke Prior	„	400 — —	400 — —	80 — —
South Newton	„	1,200 — —	1,200 — —	250 — —
Stapleford	„	150 — —	150 — —	30 — —
Skipton Gorge	„	400 — —	400 — —	80 — —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877–78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
GREAT BRITAIN—*continued.*				
CHURCHES AND PAROCHIAL CHAPELS—*continued.*				
St. Peter	nil	530 – –	530 – –	106 – –
Soulbury	"	500 – –	500 – –	125 – –
St. Peter, Marlboro'	"	1,000 – –	1,000 – –	250 – –
St. Leonard's	"	300 – –	300 – –	75 – –
Stowe	"	175 – –	175 – –	52 10 –
Stockbridge	"	800 – –	800 – –	240 – –
Stoke Lacy	"	400 – –	400 – –	120 – –
Shenfield	"	300 – –	300 – –	90 – –
Stogursey	"	500 – –	500 – –	150 – –
St. Leonard, Hythe	"	660 – –	660 – –	198 – –
Shifford	"	365 – –	365 – –	109 10 –
Sutton-on-the-Hill	"	390 – –	390 – –	26 – –
Shepton Beauchamp	"	500 – –	500 – –	175 – –
Selsey	"	600 – –	600 – –	210 – –
St. Issell's	"	300 – –	300 – –	105 – –
St. Mary Bredin	"	1,650 – –	1,650 – –	660 – –
S. S. Cosmus and Damian-in-the-Blean	"	200 – –	200 – –	80 – –
Slindon	"	300 – –	300 – –	96 18 4
Scartho	"	160 – –	160 – –	16 – –
Syresham	"	500 – –	500 – –	225 – –
South Fleet	"	700 – –	700 – –	315 – –
Stottesdon	"	1,000 – –	1,000 – –	450 – –
Salford	"	400 – –	400 – –	180 – –
Shottesbrooke	"	200 – –	200 – –	100 – –
Sutton	"	300 – –	300 – –	150 – –
Saxlingham	"	400 – –	400 – –	233 5 6
Stoke Ash	"	300 – –	300 – –	30 – –
Shute	"	350 – –	350 – –	192 10 –
Stoke Lyne	"	500 – –	500 – –	275 – –
Stretton Grandison	"	150 – –	150 – –	82 10 –
Talaton	"	800 – –	800 – –	80 – –
Thurston	"	800 – –	800 – –	120 – –
Toft	"	200 – –	200 – –	50 – –
Teversham	"	400 – –	400 – –	120 – –
Tillingham	"	450 – –	450 – –	165 – –
Thornbury	"	300 – –	300 – –	120 – –
Taynton	"	200 – –	200 – –	80 – –
Thornford	"	300 – –	300 – –	120 – –
Throwley	"	1,200 – –	1,200 – –	480 – –
Tawstock	"	700 – –	700 – –	315 – –
Tibberton	"	200 – –	200 – –	100 – –
Tintagel	"	300 – –	300 – –	165 – –
Uppingham	"	1,500 – –	1,500 – –	300 – –
Ullingswick	"	300 – –	300 – –	75 – –
Uploman	"	150 – –	150 – –	45 – –
Wigan	"	4,540 – –	4,540 – –	3,632 – –
Westbere	"	200 – –	200 – –	5 – –
Wimborne	"	800 – –	800 – –	40 – –
Waltham	"	170 – –	170 – –	25 10 –
Wilsford	"	300 – –	300 – –	60 – –
Wold Newton	"	200 – –	200 – –	50 – –
Winscombe	"	500 – –	500 – –	97 19 8
Westbury	"	300 – –	300 – –	75 – –
West Coker	"	300 – –	300 – –	90 – –
Woolstaston	"	200 – –	200 – –	60 – –
Wigmore	"	1,000 – –	1,000 – –	165 – –
Willesboro'	"	1,120 – –	1,120 – –	473 – –
Wootton	"	500 – –	500 – –	175 – –
Westbourne	"	700 – –	700 – –	245 – –
West Harptree	"	400 – –	400 – –	140 – –
Weobley	"	600 – –	600 – –	240 – –
Woodford	"	1,000 – –	1,000 – –	400 – –
Wroughton-on-the-Green	"	500 – –	500 – –	200 – –
West Camel	"	150 – –	150 – –	30 – –
Wool	"	200 – –	200 – –	90 – –
Wombourne	"	700 – –	700 – –	186 13 4

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
Churches and Parochial Chapels—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Washington	nil	550 – –	550 – –	171 2 4
Winfield	„	300 – –	300 – –	93 15 –
Wapley	„	200 – –	200 – –	90 – –
Walgrave	„	500 – –	500 – –	225 – –
Withersfield	„	560 – –	560 – –	280 – –
West Barkwith	„	300 – –	300 – –	150 – –
Woolstone	„	400 – –	400 – –	200 – –
Walton, Cardiff	„	200 – –	200 – –	100 – –
Walton, Cumberland	„	400 – –	400 – –	220 – –
Warkton	„	200 – –	200 – –	100 – –
Yarkhill	„	600 – –	600 – –	150 – –
Yarpole	„	1,000 – –	1,000 – –	243 – –
	£.	144,038 – –	144,038 – –	51,590 5 9
Harbours, Docks, and Piers:				
Anstruther Union	nil	16,500 – –	16,500 – –	16,500 – –
Aberbrothwick	„	20,000 – –	20,000 – –	19,896 3 4
Berwick	„	35,000 – –	35,000 – –	33,999 1 1
Borrowstounness	„	10,000 – –	10,000 – –	9,866 2 6
Carnarvon	„	14,000 – –	14,000 – –	2,501 6 –
Dunbar	„	20,000 – –	20,000 – –	20,000 – –
Dingwall	„	1,800 – –	1,800 – –	1,590 – –
Inverness	„	3,000 – –	3,000 – –	1,282 10 –
King's Lynn	„	25,160 – –	25,160 – –	16,000 – –
Maldon	„	10,000 – –	10,000 – –	9,287 10 –
Stranraer	„	2,000 – –	2,000 – –	1,050 – –
Southend	„	2,000 – –	2,000 – –	400 – –
Whithorn	„	940 – –	940 – –	599 – –
Workington	„	12,000 – –	12,000 – –	9,253 3 –
	£.	172,400 – –	172,400 – –	141,724 15 11
Improvements of Cities and Towns, and Battersea Park:				
Battersea Park	nil	200,000 – –	200,000 – –	100,000 – –
Chiswick Improvement Commissioners	„	1,000 – –	1,000 – –	850 – –
Fulham District Board of Works	„	16,000 – –	16,000 – –	750 – –
Lichfield Free Library and Museum	„	500 – –	500 – –	25 – –
Northampton Public Library	„	800 – –	800 – –	285 – –
	£.	218,300 – –	218,300 – –	101,910 – –
Loans under the Labouring Classes Dwellings Act:				
Briton Ferry Cottage Company	nil	1,225 – –	1,225 – –	1,149 3 1
Cardiff Workmen's Cottage Company	„	23,020 – –	23,020 – –	22,078 5 11
Highgate Dwellings Improvement Company	„	2,500 – –	2,500 – –	2,198 3 3
Harland, Thomas	„	1,175 – –	1,175 – –	1,057 10 –
Improved Industrial Dwellings Company	30,000	108,000 – –	138,000 – –	130,075 14 4
Jenkins, Miss	nil	750 – –	750 – –	675 – –
Liverpool Labourers' Dwellings Company	„	6,000 – –	6,000 – –	5,682 6 5
Metropolitan Association for Improving the Dwellings of the Industrial Classes.	6,000	41,000 – –	47,000 – –	44,031 6 3
Newcastle-on-Tyne Improved Industrial Dwellings Company.	nil	1,700 – –	1,700 – –	1,281 15 10
Spencer, A.	„	1,750 – –	1,750 – –	1,400 – –
Victoria Dwellings Association	16,000	nil	16,000 – –	16,000 – –
Wood, John	nil	3,550 – –	3,550 – –	3,195 – –
	£. 52,000	190,670 – –	242,670 – –	228,824 5 1

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
LAW COURTS, GAOLS, AND OTHER PUBLIC BUILDINGS:	£.	£. s. d.	£. s. d.	£. s. d.
Cardigan, Justices for County of	nil	3,300 – –	3,300 – –	1,900 – –
Carnarvon, Justices for County of	„	1,500 – –	1,500 – –	525 – –
Carmarthen, Justices for County of	„	15,000 – –	15,000 – –	9,450 – –
Chesterfield Corporation	„	1,500 – –	1,500 – –	1,383 13 7
Denbigh, Justices for County of	„	12,000 – –	12,000 – –	6,425 – –
Kingston-upon-Hull Corporation	„	20,000 – –	20,000 – –	11,335 12 –
Lindsey, Justices for the Parts of	„	20,000 – –	20,000 – –	14,516 19 –
Merioneth, Justices for County of	„	4,400 – –	4,400 – –	2,465 – –
Pembroke, Justices for County of	„	2,700 – –	2,700 – –	975 – –
Stafford, Justices for County of	„	25,000 – –	25,000 – –	8,700 – –
Springfield, Churchwardens, &c.	„	350 – –	350 – –	175 – –
Warwick, Justices for County of	„	55,000 – –	55,000 – –	2,437 10 –
Wigan Corporation	„	16,000 – –	16,000 – –	7,550 – –
	£.	177,250 – –	177,250 – –	67,838 14 7
LOCAL BOARDS, &c.:				
Aldershot	nil	2,500 – –	2,500 – –	646 10 –
Atherton	„	550 – –	550 – –	458 6 8
Acton	„	600 – –	600 – –	520 – –
Alfreton	„	1,400 – –	1,400 – –	1,184 10 –
Axbridge	„	1,700 – –	1,700 – –	1,473 6 8
Battle	„	1,300 – –	1,300 – –	195 – –
Bicester, Market End	„	6,500 – –	6,500 – –	2,400 – –
Bristol	„	57,000 – –	57,000 – –	10,200 – –
Builth	„	2,700 – –	2,700 – –	1,637 12 –
Bognor	„	3,350 – –	3,350 – –	1,842 10 –
Bradford	„	1,000 – –	1,000 – –	664 12 4
Beccles	„	6,000 – –	6,000 – –	5,499 3 4
Burslem	„	1,000 – –	1,000 – –	600 – –
Buxton	„	10,000 – –	10,000 – –	9,162 1 9
Bedlingtonshire	„	958 – –	958 – –	736 8 –
Banbury	„	7,500 – –	7,500 – –	6,713 1 8
Bridgwater	„	2,800 – –	2,800 – –	2,426 13 4
Bodmin	„	2,250 – –	2,250 – –	2,092 8 2
Barton, Eccles, &c.	„	1,860 – –	1,860 – –	1,704 6 10
Broughton	200	nil	200 – –	200 – –
Clevedon	nil	1,200 – –	1,200 – –	300 – –
Chatham	„	5,000 – –	5,000 – –	2,554 7 11
Cottingham	„	13,700 – –	13,700 – –	10,128 4 3
Chelmsford	„	2,300 – –	2,300 – –	1,220 13 5
Chester	„	22,000 – –	22,000 – –	20,206 2 4
Canterbury	„	3,300 – –	3,300 – –	2,305 7 6
Chepping Wycombe	„	600 – –	600 – –	420 – –
Crewe	„	14,200 – –	14,200 – –	12,677 9 8
Currie	„	700 – –	700 – –	606 13 4
Canton	„	2,000 – –	2,000 – –	300 – –
Dawdon	„	4,000 – –	4,000 – –	2,100 – –
Dolgelly	„	2,550 – –	2,550 – –	1,465 – –
Dwygyfylchi	„	1,000 – –	1,000 – –	580 – –
Dover	„	2,300 – –	2,300 – –	1,916 13 4
Dresden	„	500 – –	500 – –	300 – –
Enfield	„	6,200 – –	6,200 – –	2,945 – –
Edmonton	„	15,000 – –	15,000 – –	13,000 – –
Felling	„	4,600 – –	4,600 – –	3,640 1 5
Guisbrough	„	3,300 – –	3,300 – –	1,500 – –
Grantham	„	5,000 – –	5,000 – –	3,304 7 2
Gorton	„	25,000 – –	25,000 – –	18,700 – –

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
LOCAL BOARDS, &c.—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Higher Bebington	nil	3,661 — —	3,661 — —	1,084 9 —
High and Low Harrogate	„	2,000 — —	2,000 — —	600 — —
Houghton-le-Spring	„	5,500 — —	5,500 — —	2,775 — —
Horfield	„	1,900 — —	1,900 — —	1,140 9 3
Houghton	„	1,000 — —	1,000 — —	500 — —
Hastings	„	4,500 — —	4,500 — —	3,900 — —
Hanley	„	13,000 — —	13,000 — —	11,980 6 5
Harborne	1,170	nil — —	1,170 — —	1,170 — —
Hinckley	nil	1,000 — —	1,000 — —	733 6 8
Ilfracombe	„	2,627 — —	2,627 — —	2,268 15 8
Jarrow	2,500	14,553 — —	17,053 — —	10,467 8 —
Kingholm	nil	1,750 — —	1,750 — —	875 — —
Kendal	„	6,000 — —	6,000 — —	5,200 — —
Loughborough	„	2,000 — —	2,000 — —	100 — —
Levenshulme	„	2,500 — —	2,500 — —	473 17 10
Lymm	„	3,000 — —	3,000 — —	1,800 — —
Little Gonerby	„	1,900 — —	1,900 — —	1,384 19 7
Lees	„	1,000 — —	1,000 — —	847 11 1
Milverton	„	1,000 — —	1,000 — —	450 — —
Monquitter	„	250 — —	250 — —	196 16 4
March	„	750 — —	750 — —	488 16 11
Maidstone	„	2,300 — —	2,300 — —	2,109 4 7
Matlock	„	1,500 — —	1,500 — —	1,353 15 7
Marlborough	„	150 — —	150 — —	60 — —
Monk Bretton	642	nil — —	642 — —	642 — —
Nantwich	nil	8,938 — —	8,938 — —	4,279 17 4
Northwich	„	6,475 — —	6,475 — —	5,203 15 —
New Quay	„	300 — —	300 — —	210 — —
Norwich	„	14,500 — —	14,500 — —	12,633 6 8
Newton Abbot	„	240 — —	240 — —	153 9 2
Newington	7,400	nil — —	7,400 — —	7,291 18 2
Openshaw	2,000	6,000 — —	8,000 — —	6,798 18 7
Otley	nil	9,000 — —	9,000 — —	3,400 — —
Oxford	„	10,000 — —	10,000 — —	8,666 13 4
Paignton	„	500 — —	500 — —	200 — —
Prestwich	„	3,500 — —	3,500 — —	3,390 — —
Pittenweem	„	3,500 — —	3,500 — —	3,033 6 8
Poulton, Bare, and Torrisholme	„	950 — —	950 — —	807 10 —
Portree	„	360 — —	360 — —	328 5 11
Penzance	„	1,336 — —	1,336 — —	1,157 17 4
Panteg	„	300 — —	300 — —	168 15 —
Rotherham, &c.	„	30,396 — —	30,396 — —	6,881 5 2
Routh	„	4,000 — —	4,000 — —	2,800 — —
Reigate	„	7,200 — —	7,200 — —	6,530 2 8
Ripley	„	865 — —	865 — —	779 9 9
Sandgate	„	2,400 — —	2,400 — —	480 — —
Sherborne	„	1,600 — —	1,600 — —	400 — —
Southwick	„	7,450 — —	7,450 — —	3,662 10 —
Sandbach	„	500 — —	500 — —	175 — —
Smethwick	„	4,500 — —	4,500 — —	2,025 — —
Swindon	„	3,750 — —	3,750 — —	3,437 7 4
Salisbury	„	2,500 — —	2,500 — —	2,278 16 6
Southborough	„	3,700 — —	3,700 — —	3,145 — —
Stamford	„	1,000 — —	1,000 — —	800 — —
South Shields	„	600 — —	600 — —	383 12 8
St. Alban's	„	1,800 — —	1,800 — —	1,560 — —
St. Ninian's	„	1,400 — —	1,400 — —	1,326 14 2
Shardlaw	„	80 — —	80 — —	48 13 5
St. George's	„	900 — —	900 — —	820 — —
Stanhope	„	180 — —	180 — —	173 17 3
Sowerby Bridge	„	1,200 — —	1,200 — —	660 — —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
LOCAL BOARDS, &c.—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Teignmouth	nil	2,800	2,800	420
Twickenham	„	4,000	4,000	3,002 19 6
Trowbridge	„	11,500	11,500	10,539 4 2
Tadcaster	„	2,700	2,700	2,373 6 8
Tong Street	„	2,400	2,400	1,872 14 1
Tenby	„	2,174	2,174	2,023 10 11
Uppingham	„	1,600	1,600	1,386 13 4
Uxbridge	„	2,600	2,600	1,187 5 5
Ventnor	„	2,300	2,300	2,072 13 4
West Ham	„	21,000	21,000	6,400
Weston-super-Mare	„	9,168	9,168	5,853 2 2
Willington Quay	„	2,000	2,000	700
Wallsend	„	2,050	2,050	1,070
Ware	„	5,000	5,000	4,561 4 4
Witton-cum-Twambrookes	„	350	350	192 10
Whitwick	„	550	550	302 10
Witham	„	7,850	7,850	5,513 3 2
Walker	„	1,000	1,000	121 5 2
Wakefield	„	5,000	5,000	4,248 8 10
Waltham	„	1,850	1,850	1,095 15 2
Walsall	„	6,500	6,500	5,275 19 11
West Derby	„	2,585	2,585	2,215 10 4
Worcester	„	2,000	2,000	1,811 10
Wavertree	„	18,000	18,000	16,660 3 3
Wisbech and Walsoken	„	15,000	15,000	14,667 4
Walsoken	„	800	800	774 11
Whitehaven	1,500	nil	1,500	1,500
Ynscynhaiarn	nil	2,000	2,000	1,834 6 7
SEWER AUTHORITIES UNDER THE SEWAGE UTILIZATION ACT:				
Burgess Hill	nil	460	460	253
Bourn	„	1,000	1,000	550
Bathford	„	600	600	420
Chagford	„	420	420	189
Cranford	„	2,000	2,000	950
Cleethorpes	„	3,000	3,000	2,253 14 11
Castle Cary	„	1,200	1,200	902 17 10
Didsbury	„	2,000	2,000	1,200
Dearham	„	800	800	520
Epping	„	10,300	10,300	10,300
Eye	„	800	800	601 9 10
Haverhill	„	1,200	1,200	660
Herne Bay	„	650	650	422 10
Hillmorton	„	3,000	3,000	2,195
Hemel Hempstead	„	300	300	225
Lostwithiel	„	200	200	110
Merton Rush	„	370	370	203 10
Norton	„	1,500	1,500	900
North Preston next Faversham	„	300	300	30
Parton	„	200	200	120
Penshurst	„	400	400	240
Paxford	„	200	200	130
Road	„	600	600	420

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
SEWER AUTHORITIES UNDER THE SEWAGE UTILIZATION ACT—*continued.*				
Stanhope	nil	1,200 — —	1,200 — —	610 — —
Southam	„	1,000 — —	1,000 — —	610 — —
Southover	„	2,000 — —	2,000 — —	1,200 — —
Seaford	„	100 — —	100 — —	70 18 5
Shepton Beauchamp	„	200 — —	200 — —	100 — —
Washington	„	860 — —	860 — —	486 — —
Weston	„	400 — —	400 — —	120 — —
Walton-on-Thames	„	3,000 — —	3,000 — —	2,100 — —
£.	15,412	641,216 — —	656,628 — —	433,187 12 4
LUNATIC ASYLUMS:				
Bristol, Justices of	nil	10,000 — —	10,000 — —	500 — —
Cardigan, Justices of	„	12,950 — —	12,950 — —	8,159 14 —
Carmarthen, Justices of	„	19,735 — —	19,735 — —	12,236 16 8
Carnarvon, Justices of	„	8,257 — —	8,257 — —	1,453 14 8
Denbigh, Justices of	„	2,500 — —	2,500 — —	1,416 13 4
Durham, Justices of	„	5,000 — —	5,000 — —	250 — —
Kent, Justices of	„	25,000 — —	25,000 — —	1,399 6 8
Lindsey, Justices for the Parts of	„	22,500 — —	22,500 — —	2,700 — —
Pembroke, Justices of	„	17,474 — —	17,474 — —	10,913 17 4
Saffron Walden, Justices of	„	1,070 — —	1,070 — —	178 6 8
Stafford, Justices of	„	86,330 — —	86,330 — —	32,909 13 4
£.		210,816 — —	210,816 — —	72,118 2 8
POLICE COMMISSIONERS, SCOTLAND:				
Anstruther Easter	nil	1,000 — —	1,000 — —	966 12 7
Grangemouth	„	1,200 — —	1,200 — —	942 17 —
Kingussie	„	1,050 — —	1,050 — —	525 — —
Lerwick	„	6,505 — —	6,505 — —	5,827 14 9
Moffatt	„	3,000 — —	3,000 — —	1,702 — 6
Oban	„	6,300 — —	6,300 — —	4,420 — —
Port Glasgow	„	11,000 — —	11,000 — —	6,600 — —
£.		30,055 — —	30,055 — —	20,984 4 10
PORTPATRICK RAILWAY COMPANY (31 & 32 Vict. c. 81) £.	13,300	120,841 — —	134,141 — —	111,253 15 8
PUBLIC WORKS (MANUFACTURING DISTRICTS) ACTS, 1863-1864:				
Ashton-under-Lyne Corporation	nil	125,032 — —	125,032 — —	73,655 19 4
Accrington Local Board of Health	„	39,100 — —	39,100 — —	24,036 13 4
Atherton Local Board	„	5,216 — —	5,216 — —	3,070 2 8
Ashton under-Lyne Union	„	400 — —	400 — —	120 — —
Blackburn Corporation	„	144,125 — —	144,125 — —	85,083 6 8
Bolton Union	„	10,034 — —	10,034 — —	5,545 18 8
Burnley Corporation	„	37,800 — —	37,800 — —	22,206 13 4
Bury Improvement Commissioners	„	48,259 — —	48,259 — —	29,339 6 8
Bacup Local Board	„	19,600 — —	19,600 — —	11,546 13 4
Bollington Local Board	„	7,500 — —	7,500 — —	4,250 — —
Bedford Local Board	„	10,893 — —	10,893 — —	6,498 18 —
Bolton Corporation	„	177,934 — —	177,934 — —	71,760 8 —
Bowdon Local Board	„	2,750 — —	2,750 — —	1,558 6 8
Bradford Local Board	„	5,000 — —	5,000 — —	1,975 — —
Barton, Eccles, Winton, &c., Local Board of Health.	„	3,000 — —	3,000 — —	1,766 13 4
Chorley Local Board	„	8,180 — —	8,180 — —	4,653 6 8
Chorley Union	„	5,716 — —	5,716 — —	3,048 17 1
Chorley Improvement Commissioners	„	14,250 — —	14,250 — —	8,333 6 8

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
GREAT BRITAIN—*continued.*				
Public Works, &c., Acts, 1863-1864—*continued.*				
Chorlton Union	nil	7,500 — —	7,500 — —	4,300 — —
Clayton-le-Moors Local Board	"	10,709 — —	10,709 — —	6,382 7 4
Crompton Local Board	"	1,200 — —	1,200 — —	270 — —
Denton Local Board of Health	"	5,778 — —	5,778 — —	3,166 16 —
Droylsden Local Board	"	14,221 — —	14,221 — —	8,309 19 4
Dukinfield Local Board of Health	"	35,110 — —	35,110 — —	21,032 — —
Farnworth Local Board	"	17,500 — —	17,500 — —	10,116 13 4
Failsworth Local Board	"	6,500 — —	6,500 — —	3,550 — —
Glossop Union	"	19,201 — —	19,201 — —	1,926 5 4
Great Harwood Local Board	"	8,780 — —	8,780 — —	5,008 13 4
Gorton Local Board	"	25,000 — —	25,000 — —	15,600 — —
Hurst Local Board	"	1,000 — —	1,000 — —	521 9 —
Hyde Local Board	"	28,990 — —	28,990 — —	17,493 6 8
Halliwell Local Board	"	3,250 — —	3,250 — —	2,007 — —
Heap Local Board	"	30,000 — —	30,000 — —	17,833 6 8
Lancaster Union	"	600 — —	600 — —	350 — —
Macclesfield Union	"	6,000 — —	6,000 — —	2,942 4 8
Middleton and Tonge Improvement Commissioners.	"	6,000 — —	6,000 — —	3,466 13 4
Manchester Corporation	"	227,860 — —	227,860 — —	129,958 — —
Macclesfield, Borough of	"	20,000 — —	20,000 — —	11,633 6 8
Mossley Local Board	"	5,000 — —	5,000 — —	2,916 13 4
Newton-in-Mackerfield Improvement Commissioners.	"	20,500 — —	20,500 — —	12,926 13 4
Oldham, Borough of	"	120,100 — —	120,100 — —	70,451 6 8
Over Darwen Local Board of Health	"	34,000 — —	34,000 — —	20,400 — —
Oswaldtwistle Local Board	"	22,738 — —	22,738 — —	13,567 8 —
Openshaw Local Board of Health	"	20,000 — —	20,000 — —	12,533 6 8
Preston, Borough of	"	63,239 — —	63,239 — —	24,933 6 8
Pennington Local Board	"	11,685 — —	11,685 — —	5,800 10 —
Poulton, Bare, and Torrisholme Local Board	"	4,500 — —	4,500 — —	2,550 — —
Rochdale Corporation	"	29,600 — —	29,600 — —	17,423 6 8
Rochdale Union	"	3,000 — —	3,000 — —	—
Royton Local Board	"	3,000 — —	3,000 — —	1,776 13 4
Ramsbottom Local Board of Health	"	8,500 — —	8,500 — —	4,983 6 8
Stockport Union	"	14,001 — —	14,001 — —	7,457 1 7
Staleybridge Corporation	"	73,454 — —	73,454 — —	44,475 9 4
Stockport Corporation	"	50,376 — —	50,376 — —	29,279 14 8
Salford Corporation	"	69,772 — —	69,772 — —	41,521 4 —
Tyldesley with-Shakerley Local Board	"	12,100 — —	12,100 — —	7,096 13 4
Wigan Local Board of Health	"	48,070 — —	48,070 — —	27,695 6 8
Westleigh Local Board	"	5,312 — —	5,312 — —	3,003 17 4
	£.	1,758,935 — —	1,758,935 — —	975,109 10 4
Roads:				
Acle and Yarmouth Road	nil	2,000 — —	2,000 — —	701 6 6
Carmarthenshire Main Roads	"	7,500 — —	7,500 — —	5,107 2 —
Doncaster and Selby Road	"	14,000 — —	14,000 — —	5,392 14 3
Eccleshill and Bradford Road	"	3,000 — —	3,000 — —	3,000 — —
Gatton and Povey Cross	"	5,500 — —	5,500 — —	5,500 — —
Lanarkshire and Dumbartonshire Roads	"	51,450 — —	51,450 — —	49,029 14 9
Coll M'Donald, Esq.	"	200 — —	200 — —	75 — —
Mull District of Roads	"	5,000 — —	5,000 — —	2,350 — —
Tavernspite Roads	"	1,100 — —	1,100 — —	749 16 6
	£.	89,750 — —	89,750 — —	71,905 14 —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SANITARY LOANS (ENGLAND):	£.	£. s. d.	£. s. d.	£. s. d.
Aberdare	5,000	22,000 — —	27,000 — —	25,889 15 1
Adlington	—	600 — —	600 — —	562 5 9
Aldershot	3,300	— — —	3,300 — —	3,300 — —
Alfreton	1,500	— — —	1,500 — —	1,500 — —
Alnwick	1,448	1,500 — —	2,948 — —	2,564 13 4
Altofts	—	6,340 — —	6,340 — —	5,865 15 7
Alton	1,240	5,867 — —	7,107 — —	6,930 16 7
Altrincham	3,900	2,300 — —	6,200 — —	6,038 — 8
Ashbourne	—	1,660 — —	1,660 — —	1,509 15 9
Ashton-in-Mackerfield	3,755	8,608 — —	12,363 — —	12,162 8 11
Atherton	8,158	— — —	8,158 — —	8,158 — —
Axbridge	—	2,850 — —	2,850 — —	2,660 — —
Axminster	—	600 — —	600 — —	580 17 5
Aylesbury	—	13,000 — —	13,000 — —	12,328 18 3
Aysgarth	200	— — —	200 — —	200 — —
Bacup	550	4,380 — —	4,930 — —	4,417 — —
Battle	2,680	300 — —	2,980 — —	2,954 18 6
Barnstaple	—	700 — —	700 — —	662 12 10
Barmouth	—	2,800 — —	2,800 — —	2,626 6 —
Barton Eccles, &c.	6,368	7,500 — —	13,868 — —	13,578 14 1
Barnet	—	8,500 — —	8,500 — —	8,191 10 4
Barnard Castle	—	5,000 — —	5,000 — —	4,796 13 1
Baldock	—	3,070 — —	3,070 — —	2,946 3 3
Batley	5,000	12,500 — —	17,500 — —	16,982 6 8
Bakewell	2,750	6,900 — —	9,650 — —	9,196 13 4
Barnsley	40,000	3,486 — —	43,486 — —	43,344 15 —
Banbury	500	— — —	500 — —	500 — —
Bedminster	250	1,400 — —	1,650 — —	1,525 — —
Bedlingtonshire	—	26,345 — —	26,345 — —	25,055 6 8
Belper	7,220	— — —	7,220 — —	7,220 — —
Bishop's Stortford	770	10,250 — —	11,020 — —	10,087 16 2
Birmingham	—	94,400 — —	94,400 — —	89,246 3 2
Bilston	—	1,000 — —	1,000 — —	966 13 4
Billericay	—	6,100 — —	6,100 — —	5,889 13 —
Biggleswade	—	2,100 — —	2,100 — —	2,054 9 7
Blaydon	600	2,000 — —	2,600 — —	2,430 3 8
Bodmin	—	940 — —	940 — —	900 13 11
Bournemouth	12,000	— — —	12,000 — —	12,000 — —
Bristol	—	49,000 — —	49,000 — —	48,100 — —
Brixworth	1,130	1,570 — —	2,700 — —	2,559 13 4
Brierley Hill	—	3,242 — —	3,242 — —	3,050 17 —
Bromborough	—	400 — —	400 — —	383 14 2
Bridport	—	10,500 — —	10,500 — —	10,120 2 —
Bradford-on-Avon	—	2,500 — —	2,500 — —	2,375 — —
Blaby	6,000	455 — —	8,455 — —	8,421 4 —
Brackley	—	10,000 — —	10,000 — —	8,904 11 7
Braintree	—	900 — —	900 — —	855 — —
Bromley	200	400 — —	600 — —	565 1 1
Bredbury	4,000	— — —	4,000 — —	4,000 — —
Brampton	—	7,500 — —	7,500 — —	7,339 11 8
Bury	—	2,200 — —	2,200 — —	1,980 — —
Builth	—	300 — —	300 — —	280 19 1
Buxton	—	7,575 — —	7,575 — —	7,512 13 6
Burton-on-Trent	2,000	3,000 — —	5,000 — —	4,900 — —
Buntingford	1,110	1,400 — —	2,510 — —	2,480 14 6
Carnarvon	—	5,652 — —	5,652 — —	5,461 8 9
Carmarthen	—	5,000 — —	5,000 — —	4,694 9 2
Cardiff	540	33,310 — —	33,850 — —	33,111 5 8
Caistor	—	3,205 — —	3,205 — —	3,108 5 8
Canterbury	1,000	1,000 — —	2,000 — —	1,959 13 7
Castleford	19,600	— — —	19,600 — —	19,600 — —
Chippenham	—	8,800 — —	8,800 — —	8,485 9 9
Chard	—	3,500 — —	3,500 — —	3,284 6 6
Chepstow	—	200 — —	200 — —	180 — —
Charlton Kings	1,500	3,000 — —	4,500 — —	4,437 6 3
Chelmsford	—	2,350 — —	2,350 — —	2,296 6 11
Churwell	4,000	1,000 — —	5,000 — —	4,921 4 6
Chester	—	23,000 — —	23,000 — —	22,504 16 —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—continued.				
SANITARY LOANS (ENGLAND)—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Chorley	1,450	- - -	1,450 - -	1,450 - -
Church Stretton	800	- - -	800 - -	800 - -
Chiswick	15,000	- - -	15,000 - -	15,000 - -
Chipping Norton	4,033	- - -	4,033 - -	4,033 - -
Cheshunt	800	- - -	800 - -	800 - -
Chesterfield	8,457	32,022 - -	40,479 - -	39,046 1 5
Cirencester	800	- - -	800 - -	800 - -
Cheltenham	- -	7,230 - -	7,230 - -	6,685 8 -
Clevedon	- -	3,102 - -	3,102 - -	2,595 5 -
Clifton	- -	17,500 - -	17,500 - -	16,635 12 5
Clayton	- -	5,500 - -	5,500 - -	5,419 2 3
Clay Lane	2,000	- - -	2,000 - -	2,000 - -
Cottingham	- -	21,400 - -	21,400 - -	20,579 13 3
Congleton	3,000	6,362 - -	9,362 - -	9,205 11 5
Cockermouth	- -	3,510 - -	3,510 - -	3,427 13 -
Cowpen	3,000	5,500 - -	8,500 - -	8,384 9 5
Conway	4,150	- - -	4,150 - -	4,150 - -
Coventry	2,500	- - -	2,500 - -	2,500 - -
Crewe	- -	19,950 - -	19,950 - -	17,773 4 8
Croydon	7,150	22,715 - -	29,865 - -	29,234 - 4
Cricklade	- -	360 - -	360 - -	308 11 4
Crediton	1,500	- - -	1,500 - -	1,500 - -
Dartmouth	500	3,900 - -	4,400 - -	4,201 8 1
Dalton-in-Furness	- -	3,650 - -	3,650 - -	3,406 13 4
Darton	4,500	- - -	4,500 - -	4,500 - -
Devonport	274	2,900 - -	3,174 - -	3,077 4 9
Deal	1,000	3,500 - -	4,500 - -	4,353 6 4
Devizes	9,000	- - -	9,000 - -	9,000 - -
Diss	- -	1,200 - -	1,200 - -	1,149 14 1
Doigelly	- -	300 - -	300 - -	240 - -
Dover	- -	2,050 - -	2,050 - -	1,891 13 4
Doncaster	- -	230 - -	230 - -	221 4 7
Dronfield	- -	1,688 - -	1,688 - -	1,648 19 7
Droitwich	728	- - -	728 - -	728 - -
Driffield	1,200	- - -	1,200 - -	1,200 - -
Dudley	6,000	- - -	6,000 - -	6,000 - -
Dursley	800	- - -	800 - -	800 - -
Dwygyfylchi	- -	400 - -	400 - -	373 6 8
Ealing	- -	10,779 - -	10,779 - -	9,988 9 4
East Ward	700	4,920 - -	5,620 - -	5,489 3 6
East Cowes	- -	2,050 - -	2,050 - -	1,923 17 7
East Vale	- -	1,700 - -	1,700 - -	1,586 13 4
East Ashford	300	- - -	300 - -	300 - -
Ebbw Vale	10,000	23,900 - -	33,900 - -	33,675 17 4
Eccleshill	5,138	- - -	5,138 - -	5,138 - -
Edmonton	4,000	4,000 - -	8,000 - -	7,733 6 8
Ellesmere	- -	300 - -	300 - -	281 1 6
Enfield	27,000	- - -	27,000 - -	27,000 - -
Epping	- -	1,600 - -	1,600 - -	1,600 - -
Epsom	- -	3,900 - -	3,900 - -	3,455 - -
Erpingham	- -	2,200 - -	2,200 - -	2,066 13 4
Evesham	900	5,900 - -	6,800 - -	6,396 9 1
Fareham	- -	500 - -	500 - -	458 7 3
Falmouth	3,500	- - -	3,500 - -	3,500 - -
Forden	- -	1,500 - -	1,500 - -	1,328 1 11
Frome	- -	600 - -	600 - -	520 - -
Gateshead	- -	1,748 - -	1,748 - -	1,669 3 -
Gloucester	7,000	17,400 - -	24,400 - -	23,990 19 3
Golcar	4,000	- - -	4,000 - -	4,000 - -
Grasmere	2,500	- - -	2,500 - -	2,500 - -
Grange	5,000	- - -	5,000 - -	5,000 - -
Harborne	830	1,000 - -	1,830 - -	1,730 - -
Hastings	4,100	50,325 - -	54,425 - -	51,408 15 6
Havant	- -	900 - -	900 - -	810 - -
Hartlepool	- -	1,100 - -	1,100 - -	1,063 6 8
Handsworth	15,000	- - -	15,000 - -	15,000 - -

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SANITARY LOANS (ENGLAND)—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Hanley	10,000	- - -	10,000 - -	10,000 - -
Hunslet	-	1,100 - -	1,100 - -	1,031 16 10
Hertford	250	550 - -	800 - -	767 4 2
Heaton	-	6,900 - -	6,900 - -	6,555 - -
Heaton Norris	-	7,529 - -	7,529 - -	7,194 8 -
Hemel Hempstead	600	- - -	600 - -	600 - -
Heanor	6,000	- - -	6,000 - -	6,000 - -
Hebden Bridge	-	2,800 - -	2,800 - -	2,682 13 1
Heywood	-	1,500 - -	1,500 - -	1,400 - -
Hitchin	1,500	9,200 - -	10,700 - -	10,632 18 8
Hipperholme	4,000	- - -	4,000 - -	4,000 - -
Horbury	-	15,500 - -	15,500 - -	13,966 13 4
Hornsea	6,000	9,125 - -	15,125 - -	14,605 9 2
Horsham	11,800	- - -	11,800 - -	11,800 - -
Huntingdon	-	5,000 - -	5,000 - -	4,805 8 5
Hucknall Torkard	-	1,000 - -	1,000 - -	933 6 8
Idle	-	7,740 - -	7,740 - -	7,139 7 5
Ilfracombe	-	723 - -	723 - -	650 14 -
Ilkley	3,000	7,000 - -	10,000 - -	9,700 - -
Isle of Wight	1,415	- - -	1,415 - -	1,415 - -
Jarrow	-	6,924 - -	6,924 - -	6,136 2 11
Kettering	-	7,788 - -	7,788 - -	7,339 4 4
Kendal	-	10,000 - -	10,000 - -	8,046 13 4
Kidderminster	-	26,100 - -	26,100 - -	25,322 1 8
Kirkby Lonsdale	2,000	5,500 - -	7,500 - -	7,199 18 9
Kingston-upon-Hull	-	18,000 - -	18,000 - -	16,615 5 3
Knaresborough and Tentergate	-	11,000 - -	11,000 - -	10,340 - -
Lancaster	2,200	3,785 - -	5,985 - -	5,721 3 8
Launceston	945	- - -	945 - -	945 - -
Langport	500	2,500 - -	3,000 - -	2,947 14 6
Leamington	5,000	12,800 - -	17,800 - -	17,320 - -
Leckhampton	-	700 - -	700 - -	630 - -
Leigh	-	10,500 - -	10,500 - -	9,933 6 8
Lewes	-	1,716 - -	1,716 - -	1,678 12 6
Leek	750	750 - -	1,500 - -	1,473 12 6
Ledbury	900	- - -	900 - -	900 - -
Lillington	800	1,000 - -	1,800 - -	1,733 6 8
Lincoln	38,000	- - -	38,000 - -	38,000 - -
Linton	650	- - -	650 - -	650 - -
Littlehampton	1,500	- - -	1,500 - -	1,500 - -
Little Lever	2,000	2,000 - -	4,000 - -	3,933 6 8
Llanfairfechan	-	1,000 - -	1,000 - -	849 9 6
Llanrwst	84	6,140 - -	6,224 - -	5,815 13 5
Llandudno	-	30,000 - -	30,000 - -	27,583 6 8
Llandovery	-	600 - -	600 - -	575 6 7
Llanfrechfa	-	1,070 - -	1,070 - -	1,025 3 -
Louth	-	459 - -	459 - -	430 16 11
Longton	7,500	26,600 - -	34,100 - -	32,928 - -
Loughborough	-	860 - -	860 - -	824 19 7
Manor of Aston	-	15,000 - -	15,000 - -	14,046 - 9
Malton	-	1,600 - -	1,600 - -	1,566 17 -
Market Harborough	600	- - -	600 - -	600 - -
Maidstone	12,000	- - -	12,000 - -	12,000 - -
Merthyr Tydfil	-	20,000 - -	20,000 - -	19,394 18 6
Melton Mowbray	8,500	5,000 - -	13,500 - -	13,395 9 1
Milverton	-	500 - -	500 - -	469 2 8
Midsomer Norton	1,000	4,000 - -	5,000 - -	4,833 6 8
Mitford and Launditch	-	1,700 - -	1,700 - -	1,665 2 1
Millom	2,900	- - -	2,900 - -	2,900 - -
Monk Bretton	858	3,000 - -	3,858 - -	3,038 2 5
Much Wootton	-	2,000 - -	2,000 - -	1,910 1 8
Nantwich	950	405 - -	1,355 - -	1,341 10 -
Newbury	-	1,500 - -	1,500 - -	1,200 - -
Newton Abbot	-	550 - -	550 - -	443 18 10
Newent	-	3,000 - -	3,000 - -	2,771 13 -
Newcastle-under-Lyme	-	6,031 - -	6,031 - -	5,656 17 6

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
GREAT BRITAIN—*continued.*				
SANITARY LOANS (ENGLAND)—*continued.*				
Newington	-	13,764 - -	13,764 - -	13,030 11 9
Newton-in-Mackerfield	-	5,750 - -	5,750 - -	5,308 6 8
Neston and Parkgate	-	4,000 - -	4,000 - -	3,733 6 8
New Windsor	8,500	20,000 - -	28,500 - -	27,862 18 2
New Quay	-	3,000 - -	3,000 - -	2,876 13 1
Newton Heath	-	3,655 - -	3,655 - -	3,411 6 8
Newbiggin-by-the-Sea	1,140	600 - -	1,740 - -	1,727 5 7
Newport (Isle of Wight)	2,000	12,000 - -	14,000 - -	13,749 1 9
Newark	-	616 - -	616 - -	604 13 3
Newbold and Dunston	-	5,000 - -	5,000 - -	4,894 9 10
Nelson	7,000	- - -	7,000 - -	7,000 - -
North Bierley	5,000	18,000 - -	23,000 - -	21,513 14 6
North Witchford	-	795 - -	795 - -	751 16 7
Normanton	-	11,500 - -	11,500 - -	10,600 - -
Northwich	1,650	3,700 - -	5,350 - -	5,095 2 4
Norwich	-	18,000 - -	18,000 - -	17,066 13 4
Northallerton	-	310 - -	310 - -	299 13 4
Oakham	2,875	- - -	2,875 - -	2,875 - -
Old Swindon	-	6,000 - -	6,000 - -	5,631 10 1
Otley	7,000	- - -	7,000 - -	7,000 - -
Oxford	23,000	114,125 - -	137,125 - -	133,980 4 -
Oxton	-	1,400 - -	1,400 - -	1,341 17 7
Padiham, &c.	-	3,400 - -	3,400 - -	3,286 - 7
Penzance	1,493	8,685 - -	10,178 - -	9,612 7 4
Pemberton	7,600	10,000 - -	17,600 - -	17,390 8 7
Penkridge	-	8,200 - -	8,200 - -	8,023 16 6
Peterborough	3,500	- - -	3,500 - -	3,500 - -
Plymouth	-	3,000 - -	3,000 - -	2,700 - -
Poulton, &c.	-	1,500 - -	1,500 - -	1,286 13 4
Prescot	-	9,700 - -	9,700 - -	9,223 10 7
Ravensthorpe	-	15,400 - -	15,400 - -	14,559 13 10
Rawmarsh	-	2,250 - -	2,250 - -	2,133 6 8
Radcliffe	-	5,000 - -	5,000 - -	4,333 6 8
Reading	3,140	119,417 - -	122,557 - -	118,924 15 9
Reigate	-	12,180 - -	12,180 - -	11,462 10 6
Rhayader	1,400	700 - -	2,100 - -	2,084 16 6
Ripon	-	1,630 - -	1,630 - -	1,563 6 -
Ripley	3,000	9,650 - -	12,650 - -	12,500 7 8
Richmond	-	28,000 - -	28,000 - -	27,413 17 2
Rotherham	900	8,000 - -	8,900 - -	8,440 16 3
Rochford	-	650 - -	650 - -	635 16 11
Romney Marsh	260	- - -	260 - -	260 - -
Rye	-	700 - -	700 - -	656 17 3
Ryde	10,000	- - -	10,000 - -	10,000 - -
St. Wilfred's	-	3,300 - -	3,300 - -	3,025 4 11
Sandown	-	1,596 - -	1,596 - -	1,467 3 1
St. Helen's	2,000	7,046 - -	9,046 - -	8,631 6 11
St. George's	5,900	6,350 - -	12,250 - -	11,748 6 8
St. Mary Church	1,970	6,000 - -	7,970 - -	7,804 18 4
St. Asaph	1,100	1,900 - -	3,000 - -	2,959 18 1
St. Austell	200	- - -	200 - -	200 - -
Scarborough	340	- - -	340 - -	340 - -
Seisdon	-	300 - -	300 - -	287 14 5
Sevenoaks	500	- - -	500 - -	500 - -
Shanklin	-	2,496 - -	2,496 - -	2,365 5 10
Sheffield	-	17,500 - -	17,500 - -	16,423 8 5
Sheerness	5,000	10,000 - -	15,000 - -	14,879 18 -
Shipley	25,000	- - -	25,000 - -	25,000 - -
Shardlow	3,900	- - -	3,900 - -	3,900 - -
Sidmouth	-	1,100 - -	1,100 - -	1,008 17 6
Silsden	-	2,000 - -	2,000 - -	1,875 2 3
Southwick	-	400 - -	400 - -	346 13 4
Sudbury	-	7,450 - -	7,450 - -	6,622 2 9
Southborough	6,000	2,800 - -	8,800 - -	8,611 2 -
South Gosforth	-	4,500 - -	4,500 - -	4,270 - 5
Southam	-	350 - -	350 - -	323 4 8
Southampton	-	41,782 - -	41,782 - -	40,782 15 3

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SANITARY LOANS (ENGLAND)—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Solihull	11,000	3,500 – –	14,500 – –	14,421 – 4
Stocksbridge	239	5,500 – –	5,730 – –	5,438 14 –
Steyning	– –	1,300 – –	1,300 – –	1,270 18 11
Stanhope	– –	220 – –	220 – –	215 2 11
Sturminster	2,800	– – –	2,800 – –	2,800 – –
Stratton	1,800	– – –	1,800 – –	1,800 – –
Sunderland	1,500	11,560 – –	13,060 – –	12,536 9 7
Swinton and Pendlebury	800	– – –	800 – –	800 – –
Spittlegate	1,500	– – –	1,500 – –	1,500 – –
Taunton	27,000	5,000 – –	32,000 – –	31,794 8 6
Tadcaster	360	1,800 – –	2,160 – –	2,160 – –
Tenby	1,450	10,000 – –	11,450 – –	10,836 6 6
Thornton	– –	500 – –	500 – –	479 9 10
Thornbury	– –	770 – –	770 – –	718 13 4
Thetford	400	7,500 – –	7,900 – –	7,658 18 9
Tong Street	3,384	16,349 – –	19,733 – –	19,471 5 5
Torquay	23,650	41,000 – –	64,650 – –	63,345 13 9
Totnes	– –	2,000 – –	2,000 – –	1,917 11 4
Tonbridge	1,000	– – –	1,000 – –	1,000 – –
Tranmere	– –	1,200 – –	1,200 – –	1,124 6 5
Trowbridge	– –	3,000 – –	3,000 – –	2,855 – 3
Tregaron	1,000	– – –	1,000 – –	1,000 – –
Twickenham	6,000	29,324 – –	35,324 – –	33,386 9 11
Tynemouth	3,950	1,000 – –	4,950 – –	4,877 2 1
Tyldesley-with-Shackerley	– –	4,030 – –	4,030 – –	3,802 19 1
Uckfield	– –	500 – –	500 – –	479 13 10
Uppingham	– –	3,400 – –	3,400 – –	3,260 – –
Usk	– –	600 – –	600 – –	540 – –
Uxbridge	– –	5,400 – –	5,400 – –	5,077 10 11
Ventnor	– –	6,040 – –	6,040 – –	5,764 12 3
Ware	1,000	7,300 – –	8,300 – –	7,730 – –
Walsall	– –	725 – –	725 – –	634 5 6
Wakefield	– –	4,500 – –	4,500 – –	4,280 9 3
Walton-on-the-Hill	3,000	17,724 – –	20,724 – –	19,700 11 –
Walsoken	– –	2,000 – –	2,000 – –	1,971 10 1
Warrington	– –	2,700 – –	2,700 – –	2,643 5 8
Wallasey	– –	12,000 – –	12,000 – –	11,703 1 3
Warwick	8,818	15,000 – –	23,818 – –	23,689 7 7
Wallsend	200	– – –	200 – –	200 – –
Walthamstow	28,000	– – –	28,000 – –	28,000 – –
Weston-super-Mare	– –	5,363 – –	5,363 – –	5,046 13 10
West Cowes	– –	10,450 – –	10,450 – –	10,284 8 10
West Houghton	– –	15,000 – –	15,000 – –	13,971 – 11
Wellingborough	4,000	– – –	4,000 – –	4,000 – –
Weardale	1,400	– – –	1,400 – –	1,400 – –
West Hampnett	600	– – –	600 – –	600 – –
West Kent Main Drainage	60,000	– – –	60,000 – –	60,000 – –
Whitefield	2,400	2,000 – –	4,400 – –	4,266 13 4
Whittington	5,000	– – –	5,000 – –	5,000 – –
Whickham	1,200	– – –	1,200 – –	1,200 – –
Whitehaven	420	– – –	120 – –	120 – –
Whitley and Monkseaton	1,300	700 – –	2,000 – –	1,982 10 10
Wimbledon	2,500	82,000 – –	84,500 – –	80,314 2 10
Wincanton	3,500	7,600 – –	11,100 – –	10,659 6 –
Wisbech	– –	14,500 – –	14,500 – –	14,204 11 8
Winsford	3,500	14,000 – –	17,500 – –	17,206 17 7
Witney	250	150 – –	400 – –	396 15 9
Wirral	– –	600 – –	600 – –	570 – –
Winchester	12,000	– – –	12,000 – –	12,000 – –
Wisbech and Walsoken	1,250	5,500 – –	6,750 – –	6,689 4 9
Worcester	– –	1,000 – –	1,000 – –	927 19 –
Worsborough	6,456	2,000 – –	8,456 – –	8,273 1 3
Wombwell	– –	6,000 – –	6,000 – –	5,873 7 10
Worthing	6,000	10,000 – –	16,000 – –	15,912 – 6
Wrexham	2,824	12,755 – –	15,579 – –	15,159 8 9
York	– –	1,000 – –	1,000 – –	933 6 8
£.	237,591	2,106,200 – –	2,943,791 – –	2,842,367 7 9

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SANITARY LOANS (SCOTLAND):	£.	£. s. d.	£. s. d.	£. s. d.
Aberdeen Local Authority	-	10,000 - -	10,000 - -	9,894 14 3
Alva Police Commissioners	3,000	- - -	3,000 - -	3,000 - -
Bathgate Burgh Commissioners	6,000	- - -	6,000 - -	6,000 - -
Beith Local Authority	-	5,500 - -	5,500 - -	5,453 10 10
Burntisland Town Council	20,000	- - -	20,000 - -	20,000 - -
Callander Local Authority	1,000	- - -	1,000 - -	1,000 - -
Cambuslang Local Authority	-	7,000 - -	7,000 - -	6,720 - -
Carluke Local Authority	1,400	- - -	1,400 - -	1,400 - -
Craig Parish Local Authority	400	- - -	400 - -	400 - -
Crieff Local Authority	3,500	- - -	3,500 - -	3,454 4 4
Dalry Local Authority	-	9,000 - -	9,000 - -	8,805 12 6
Drainie Local Authority	4,250	- - -	4,250 - -	4,250 - -
Dundonald Local Authority	12,000	- - -	12,000 - -	12,000 - -
Dunfermline Local Authority	7,000	3,000 - -	10,000 - -	9,974 - 1
Dunoon and Kilmun Local Authority	5,000	- - -	5,000 - -	4,899 19 11
Dunoon Burgh Local Authority	3,100	- - -	3,100 - -	3,100 - -
Elgin Police Commissioners	13,619	- - -	13,619 - -	13,417 5 2
Ellon Local Authority	-	1,200 - -	1,200 - -	1,176 - -
Fala and Soutra Local Authority	200	- - -	200 - -	200 - -
Gallashiels Local Authority	25,000	- - -	25,000 - -	24,348 17 7
Galston Local Authority	-	100 - -	100 - -	80 - -
Glasgow Police Commissioners	5,000	15,000 - -	20,000 - -	19,444 2 2
Grangemouth Police Commissioners	11,200	- - -	11,200 - -	11,200 - -
Haddington Parish Local Authority	-	300 - -	300 - -	296 1 8
Haddington Burgh Local Authority	700	- - -	700 - -	700 - -
Inverness Police Commissioners	-	25,000 - -	25,000 - -	24,758 14 1
Inverness Police Commissioners	-	10,000 - -	10,000 - -	9,903 9 7
Inverness Police Commissioners	-	6,000 - -	6,000 - -	5,919 1 6
Irvine Local Authority	12,000	- - -	12,000 - -	12,000 - -
Kilmorack Local Authority	800	- - -	800 - -	788 12 11
Kirkwall Police Commissioners	5,130	- - -	5,130 - -	5,130 - -
Kirriemuir Local Authority	4,500	- - -	4,500 - -	4,500 - -
Larbert Police Commissioners	-	650 - -	650 - -	636 8 1
Largs Local Authority	10,000	- - -	10,000 - -	10,000 - -
Mochrum Local Authority	485	- - -	485 - -	485 - -
Motherwell and Dalziel Local Authority	15,000	- - -	15,000 - -	15,000 - -
Muirkirk Local Authority	-	720 - -	720 - -	699 14 5
Newburgh Local Authority	2,000	- - -	2,000 - -	2,000 - -
New Cumnock Local Authority	3,000	- - -	3,000 - -	3,000 - -
Paisley Local Authority	8,500	- - -	8,500 - -	8,500 - -
Peterhead Local Authority	700	- - -	700 - -	700 - -
Selkirk Police Commissioners	1,200	- - -	1,200 - -	1,200 - -
Thurso Police Commissioners	5,000	6,000 - -	11,000 - -	10,948 - 2
Tullibardine Parish Local Authority	-	920 - -	920 - -	912 8 7
Wemyss Parish Local Authority	15,000	- - -	15,000 - -	15,000 - -
	£. 205,684	100,390 - -	306,074 - -	303,295 17 10
SCHOOL BOARDS. ENGLAND AND WALES:				
Abberton	-	700 - -	700 - -	672 - -
Abbotskerswell	-	650 - -	650 - -	638 9 10
Abenbury	500	- - -	500 - -	500 - -
Aberdare	3,200	20,490 - -	23,690 - -	23,291 13 10
Aberdaron	-	400 - -	400 - -	392 - -
Aberystruth	-	4,000 - -	4,000 - -	3,959 6 8
Aberystwith	600	5,765 - -	6,365 - -	6,197 19 5
Accrise and Paddlesworth	167	1,011 - -	1,178 - -	1,160 6 -
Adforton	109	600 - -	709 - -	703 12 4

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
"School Boards. England and Wales—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Adlingfleet	400	- - -	400 - -	400 - -
Adstock	675	- - -	675 - -	675 - -
Aldershot	400	7,303 - -	7,703 - -	7,109 14 8
Aldham	- -	285 - -	285 - -	210 18 9
Aldingbourne	- -	1,300 - -	1,300 - -	1,287 19 3
Alfold	- -	850 - -	850 - -	841 12 10
Alfrick, Luisley, and Suckley	- -	3,225 - -	3,225 - -	3,169 3 10
Almeley	- -	570 - -	570 - -	545 4 4
Alnmouth	- -	1,493 - -	1,493 - -	1,437 2 9
Alphamstone	- -	600 - -	600 - -	594 8 11
Alphington	- -	2,300 - -	2,300 - -	2,277 16 7
Althorpe and Keadby	- -	1,450 - -	1,450 - -	1,423 18 10
Alverthorpe with Thorne	2,665	- - -	2,665 - -	2,665 - -
Ambrosden	70	1,280 - -	1,350 - -	1,332 14 5
Ansty	- -	2,182 - -	2,182 - -	2,103 11 10
Antingham and Southrepps	1,356	- - -	1,356 - -	1,356 - -
Appleton-upon-Wiske	- -	365 - -	365 - -	349 12 1
Arleedon and Weddicar	7,775	- - -	7,775 - -	7,775 - -
Arlesey	- -	3,036 - -	3,036 - -	2,992 13 9
Ashbocking	- -	400 - -	400 - -	390 - 7
Ashbrittle	800	- - -	800 - -	800 - -
Ashburnham and Penshurst	1,200	- - -	1,200 - -	1,200 - -
Ashen	- -	641 - -	641 - -	615 7 2
Ashover	600	2,000 - -	2,600 - -	2,581 - 2
Ashwell	2,200	- - -	2,200 - -	2,200 - -
Aslacton	- -	150 - -	150 - -	142 10 -
Aston	43,021	- - -	43,021 - -	43,021 - -
Aston with Aughton	1,806	2,000 - -	3,806 - -	3,766 - -
Attleborough	- -	570 - -	570 - -	559 15 5
Atwick	647	- - -	647 - -	647 - -
Avenbury	- -	900 - -	900 - -	891 9 10
Awkley	- -	1,625 - -	1,625 - -	1,608 10 7
Axminster	- -	3,516 - -	3,516 - -	3,460 3 -
Aylesbeare	1,499	- - -	1,499 - -	1,499 - -
Aylmerton	- -	1,275 - -	1,275 - -	1,257 11 2
Backworth	509	5,600 - -	6,109 - -	6,026 16 1
Bacton	- -	700 - -	700 - -	672 - -
Baildon	938	3,000 - -	3,938 - -	3,910 2 8
Balderton	- -	876 - -	876 - -	853 19 7
Bampton	600	- - -	600 - -	600 - -
Banham	446	1,000 - -	1,446 - -	1,436 18 9
Banstead and Kingswood	- -	2,500 - -	2,500 - -	2,455 12 3
Barford	900	- - -	900 - -	900 - -
Barmby-on-the-Marsh, &c.	2,120	- - -	2,120 - -	2,120 - -
Barmston	- -	390 - -	390 - -	383 4 3
Barnborough	1,972	- - -	1,972 - -	1,972 - -
Barney and Fulmodeston	- -	1,000 - -	1,000 - -	960 - -
Barningham	- -	1,400 - -	1,400 - -	1,380 9 -
Barnsley	2,300	9,064 - -	11,364 - -	10,706 2 1
Barrow-in-Furness	440	37,483 - -	37,923 - -	36,580 5 4
Barsham	- -	706 - -	706 - -	666 8 9
Bassenthwaite	- -	766 - -	766 - -	746 3 10
Bassingbourn and Kneesworth	265	2,473 - -	2,738 - -	2,714 11 11
Bath	2,700	- - -	2,700 - -	2,700 - -
Batley	5,116	28,559 - -	33,675 - -	33,151 16 9
Battisford	- -	489 - -	489 - -	459 13 -
Bawburgh	- -	1,029 - -	1,029 - -	1,012 19 10
Beal	- -	2,000 - -	2,000 - -	1,980 10 7
Bealing's District	1,000	500 - -	1,500 - -	1,490 - -
Beard Ollersett, &c.	875	1,000 - -	1,875 - -	1,866 - 7
Bearley	540	- - -	540 - -	540 - -
Beccles	1,938	- - -	1,938 - -	1,938 - -
Beckenham	1,475	400 - -	1,875 - -	1,708 14 3
Beddgelert	- -	682 - -	682 - -	660 14 6
Bedhampton	- -	250 - -	250 - -	243 1 10
Bedminster	- -	5,720 - -	5,720 - -	5,662 9 11
Bedwelty	12,200	17,107 - -	29,307 - -	28,964 17 2
Beetley	- -	839 - -	839 - -	824 9 7

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Begelley	-	582 - -	582 - -	571 16 3
Belper	6,600	- - -	6,600 - -	6,600 - -
Benfieldside	4,000	- - -	4,000 - -	4,000 - -
Bentley-with-Arksey	1,000	1,530 - -	2,530 - -	2,515 13 10
Benwick	-	1,590 - -	1,590 - -	1,527 3 1
Bexley	300	1,400 - -	1,700 - -	1,672 - -
Bersham	-	7,644 - -	7,644 - -	7,499 4 1
Bettws-y-Crwyn	-	920 - -	920 - -	904 12 5
Bewcastle	1,027	- - -	1,027 - -	1,027 - -
Beyton	600	- - -	600 - -	600 - -
Bickenhill	-	661 - -	661 - -	650 6 10
Bideford	-	1,413 - -	1,413 - -	1,391 13 6
Biggleswade	-	4,039 - -	4,039 - -	3,950 5 10
Bildeston	150	- - -	150 - -	150 - -
Billingborough	-	3,300 - -	3,300 - -	3,268 10 1
Bilsby	500	- - -	500 - -	500 - -
Bingley-with-Micklethwaite	3,186	10,000 - -	13,186 - -	12,986 - -
Birdbrook	-	958 - -	958 - -	928 8 4
Birmingham	66,738	252,852 - -	319,590 - -	307,174 6 2
Bishop's Castle	-	1,600 - -	1,600 - -	1,560 - 7
Bishop's Itchington	195	- - -	195 - -	195 - -
Bishop's Nympton	-	1,146 - -	1,146 - -	1,134 1 2
Bishton	800	- - -	800 - -	800 - -
Bitchfield	1,304	- - -	1,304 - -	1,304 - -
Bix	600	- - -	600 - -	600 - -
Black Callerton	1,325	- - -	1,325 - -	1,325 - -
Blackmore	800	- - -	800 - -	800 - -
Blaenffos	1,400	- - -	1,400 - -	1,400 - -
Blaenpenal and Lower Lledrod	200	1,000 - -	1,200 - -	1,189 11 10
Blakenham	-	576 - -	576 - -	570 13 4
Bledington	-	948 - -	948 - -	907 1 6
Bledlow	-	500 - -	500 - -	476 17 1
Bletchingly	-	2,547 - -	2,547 - -	2,401 11 11
Blofield	2,199	1,000 - -	3,199 - -	3,189 14 10
Boldon	6,600	- - -	6,600 - -	6,600 - -
Bolehall and Glascote	600	2,000 - -	2,600 - -	2,560 - -
Bolton	-	10,861 - -	10,861 - -	10,603 13 3
Bottisham	-	800 - -	800 - -	768 12 7
Boughton Monchelsea	-	398 - -	398 - -	384 9 6
Bourn	-	4,500 - -	4,500 - -	4,457 18 3
Bow Brickhill	1,300	- - -	1,300 - -	1,300 - -
Bowness	-	2,031 - -	2,031 - -	1,990 7 6
Boyton and Northcott	250	300 - -	550 - -	544 - -
Bozeat	-	2,153 - -	2,153 - -	2,091 2 10
Bracon Ash	300	850 - -	1,150 - -	1,146 11 9
Bradford	20,040	140,638 - -	160,678 - -	157,110 10 10
Bramerton and Kirby Bedon	1,000	- - -	1,000 - -	1,000 - -
Bramhall	257	1,000 - -	1,257 - -	1,237 - -
Brampton (Cumberland)	-	700 - -	700 - -	672 - -
Brampton (Derby)	1,899	- - -	1,899 - -	1,899 - -
Brandon	2,000	- - -	2,000 - -	2,000 - -
Bratton Clovelly	343	800 - -	1,143 - -	1,134 15 9
Braughing	-	996 - -	996 - -	956 3 2
Braunton	-	1,400 - -	1,400 - -	1,352 14 3
Breage	-	902 - -	902 - -	829 6 -
Brecon	-	1,730 - -	1,730 - -	1,685 12 10
Bredfield	-	415 - -	415 - -	407 16 3
Bressingham	236	600 - -	836 - -	830 8 11
Bridford	107	450 - -	557 - -	548 - -
Bridgend	-	3,500 - -	3,500 - -	3,462 11 5
Bridgwater	-	3,250 - -	3,250 - -	3,129 - 5
Brighton	-	46,011 - -	46,011 - -	44,486 10 8
Brimington	6,000	- - -	6,000 - -	6,000 - -
Brimingham	336	1,500 - -	1,836 - -	1,821 9 10
Bristol	6,300	20,997 - -	27,297 - -	26,805 12 9
Briton Ferry	-	4,272 - -	4,272 - -	4,193 1 7
Brixham	-	590 - -	590 - -	584 6 2
Brize Norton	-	1,450 - -	1,450 - -	1,426 1 1
Broadhempston	-	580 - -	580 - -	556 16 -

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Brockley	-	850 - -	850 - -	841 11 5
Brompton Ralph	-	900 - -	900 - -	890 17 10
Bromsgrove	642	4,000 - -	4,642 - -	4,562 - -
Broome	-	1,050 - -	1,050 - -	1,032 11 1
Brough	-	968 - -	968 - -	951 18 4
Brougham	-	500 - -	500 - -	480 - -
Broughton	-	5,134 - -	5,134 - -	5,028 1 7
Brundish	-	840 - -	840 - -	780 12 -
Brymbo	-	3,704 - -	3,704 - -	3,620 11 1
Bubwith	1,000	1,105 - -	2,105 - -	2,094 4 9
Buckfastleigh	-	3,459 - -	3,459 - -	3,382 5 6
Buckland Brewer	-	950 - -	950 - -	941 - 6
Bucklesham	-	1,000 - -	1,000 - -	980 - -
Bugbrooke	-	2,265 - -	2,265 - -	2,171 2 4
Bulkeley and Ridley	-	1,100 - -	1,100 - -	1,080 19 3
Bungay	3,768	1,250 - -	5,018 - -	5,006 8 6
Burford	1,200	- - -	1,200 - -	1,200 - -
Burnham Overy	-	800 - -	800 - -	786 14 2
Burslem	2,308	11,001 - -	13,309 - -	13,226 10 8
Burston and Shimpling	-	896 - -	896 - -	860 3 2
Burstow	-	1,000 - -	1,000 - -	960 - -
Burstwick-cum-Skeckling	-	1,400 - -	1,400 - -	1,306 - -
Burton Fleming	-	1,050 - -	1,050 - -	1,022 10 8
Burton-upon-Trent	11,604	38,585 - -	50,189 - -	49,515 13 11
Burwardsley	-	400 - -	400 - -	396 - 7
Buxhall	721	- - -	721 - -	721 - -
Buxton	-	6,527 - -	6,527 - -	6,425 3 7
Byton	-	820 - -	820 - -	812 9 -
Cadoxton-juxta-Barry	350	- - -	350 - -	350 - -
Caerhun Llanbedr-y-Cennin, &c.	-	2,100 - -	2,100 - -	2,071 14 4
Caister	-	1,959 - -	1,959 - -	1,902 3 6
Caldbeck	-	2,925 - -	2,925 - -	2,857 3 8
Callaley and Yetlington	-	398 - -	398 - -	392 14 2
Calstock	450	2,100 - -	2,550 - -	2,466 - -
Calverley-with-Farsley	4,500	- - -	4,500 - -	4,500 - -
Camborne	1,900	2,950 - -	4,850 - -	4,787 3 10
Campton	-	2,109 - -	2,109 - -	2,075 8 1
Camrose	-	1,600 - -	1,600 - -	1,544 3 1
Cannock	9,675	8,333 - -	18,008 - -	17,862 3 -
Canterbury	-	2,396 - -	2,396 - -	2,274 6 9
Capel	-	2,235 - -	2,235 - -	2,145 12 -
Cardiff	8,600	- - -	8,600 - -	8,600 - -
Cardigan	-	2,585 - -	2,585 - -	2,560 12 2
Carisbrooke	-	2,829 - -	2,829 - -	2,802 - -
Carlisle	-	6,330 - -	6,330 - -	6,149 14 4
Carlton	-	2,950 - -	2,950 - -	2,911 5 1
Carlton Husthwaite	1,020	- - -	1,020 - -	1,020 - -
Carmarthen	-	715 - -	715 - -	690 19 2
Carno	-	1,800 - -	1,800 - -	1,742 13 9
Carshalton	2,420	3,188 - -	5,608 - -	5,525 1 7
Cassop	2,000	- - -	2,000 - -	2,000 - -
Castleford	10,000	2,750 - -	12,750 - -	12,724 5 7
Cateliffe	-	2,326 - -	2,326 - -	2,279 9 7
Caterham	-	6,946 - -	6,946 - -	6,732 1 9
Caddington	-	2,140 - -	2,140 - -	2,119 19 8
Caverswall	5,000	- - -	5,000 - -	5,000 - -
Caythorpe	-	1,000 - -	1,000 - -	982 19 11
Cayton	1,190	- - -	1,190 - -	1,190 - -
Cerrig-y-Druidion	-	700 - -	700 - -	682 12 7
Chalgrove	1,503	- - -	1,503 - -	1,503 - -
Chard	-	1,026 - -	1,026 - -	992 12 5
Chartham	-	443 - -	443 - -	379 14 6
Chedzoy	-	650 - -	650 - -	624 - -
Chellaston	2,100	- - -	2,100 - -	2,100 - -
Cheriton	-	2,297 - -	2,297 - -	2,256 16 -
Chesham	2,500	- - -	2,500 - -	2,500 - -
Chesterfield	664	4,787 - -	5,451 - -	5,259 9 4
Chevington	-	2,715 - -	2,715 - -	2,653 16 4

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Chew Magna	-	600 - -	600 - -	582 16 4
Chignal	-	488 - -	488 - -	467 17 3
Chigwell	-	3,694 - -	3,694 - -	3,556 8 3
Chilton	6,000	- - -	6,000 - -	6,000 - -
Chepping Wycombe	-	8,681 - -	8,681 - -	8,473 - 11
Chipping Wycombe	-	8,212 - -	8,212 - -	8,082 1 2
Chipstable	-	1,000 - -	1,000 - -	983 12 1
Chiswick	-	4,000 - -	4,000 - -	3,810 - -
Cholsey	-	1,600 - -	1,600 - -	1,573 18 -
Church Coppenhall	-	1,100 - -	1,100 - -	1,077 18 2
Church Gresley	1,150	2,300 - -	3,450 - -	3,427 5 5
Churwell	-	5,000 - -	5,000 - -	4,953 12 4
Cilcennin	-	640 - -	640 - -	634 7 7
Claverdon	-	250 - -	250 - -	235 - -
Clawton, Tetcott, and Luffincott	-	1,400 - -	1,400 - -	1,380 9 2
Claydon	844	66 - -	910 - -	903 8 -
Clay Lane	-	7,751 - -	7,751 - -	7,632 3 5
Clayton and Keymer	-	5,108 - -	5,108 - -	5,021 - 4
Cliddesden	-	1,350 - -	1,350 - -	1,269 - -
Clifton	-	764 - -	764 - -	750 9 5
Clifton-with-Norwood	-	560 - -	560 - -	546 2 -
Clocaenog	-	285 - -	285 - -	277 17 1
Clopton	-	1,074 - -	1,074 - -	1,031 - 8
Clown	2,400	- - -	2,400 - -	2,400 - -
Clydey	-	336 - -	336 - -	326 10 10
Cockermouth	-	1,800 - -	1,800 - -	1,766 12 -
Colan	-	200 - -	200 - -	195 11 4
Colebrooke	-	1,597 - -	1,597 - -	1,513 2 4
Coleridge	-	392 - -	392 - -	380 2 -
Collierley	4,000	- - -	4,000 - -	4,000 - -
Collyweston	550	- - -	550 - -	544 6 6
Coltishall	1,000	382 - -	1,382 - -	1,375 13 1
Colyton	-	2,729 - -	2,729 - -	2,704 19 11
Combs	-	2,050 - -	2,050 - -	1,970 6 -
Conisborough	-	3,500 - -	3,500 - -	3,190 - -
Convil Gayo	1,200	- - -	1,200 - -	1,200 - -
Copdock and Washbrook	-	727 - -	727 - -	683 7 6
Corby	1,350	- - -	1,350 - -	1,350 - -
Cornhill	1,340	- - -	1,340 - -	1,340 - -
Coston and Garthorpe	-	558 - -	558 - -	548 14 6
Cottenham	-	1,550 - -	1,550 - -	1,524 2 -
Cottingham	893	- - -	893 - -	893 - -
Cove and Hawley	345	1,550 - -	1,895 - -	1,871 2 8
Coventry	-	9,744 - -	9,744 - -	9,407 8 6
Covington	-	387 - -	387 - -	383 3 10
Cowbridge	-	2,700 - -	2,700 - -	2,654 9 9
Cowling	-	1,961 - -	1,961 - -	1,916 11 10
Cowpen	-	8,328 - -	8,328 - -	8,206 17 5
Coity Higher	-	1,000 - -	1,000 - -	990 12 11
Crantock	400	- - -	400 - -	400 - -
Crediton	1,600	- - -	1,600 - -	1,600 - -
Cregrina	1,340	500 - -	1,840 - -	1,830 - -
Cretingham	-	305 - -	305 - -	299 17 10
Crewkerne	2,715	- - -	2,715 - -	2,715 - -
Crofton	395	1,200 - -	1,595 - -	1,582 10 3
Crondall	3,700	- - -	3,700 - -	3,700 - -
Crook and Billy Row	8,575	- - -	8,575 - -	8,575 - -
Cropwell Bishop	1,300	- - -	1,300 - -	1,300 - -
Crowle	-	2,281 - -	2,281 - -	2,108 2 9
Croydon	2,133	28,725 - -	30,858 - -	29,938 2 8
Croyland	2,000	- - -	2,000 - -	2,000 - -
Cudworth	-	400 - -	400 - -	395 17 6
Culmstock	-	1,400 - -	1,400 - -	1,365 9 10
Cumwhitton and Carlatton	-	1,250 - -	1,250 - -	1,226 7 6
Cusop	-	800 - -	800 - -	768 - -
Cyfoeth-y-Brennin	-	1,100 - -	1,100 - -	1,056 - -
Dacre	-	620 - -	620 - -	609 14 -
Dagenham	1,299	1,300 - -	2,599 - -	2,573 - -

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of *Principal* Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Dalton in Furness	11,502	- - -	11,502 - -	11,502 - -
Danby	315	1,535 - -	1,850 - -	1,808 18 8
Darenth	- -	600 - -	600 - -	588 - -
Daresbury	750	2,616 - -	3,366 - -	3,340 13 10
Dartford	- -	6,747 - -	6,747 - -	6,666 1 8
Dartmouth	- -	2,887 - -	2,887 - -	2,664 19 3
Darton	1,474	4,500 - -	5,974 - -	5,931 15 6
Davidstow	- -	900 - -	900 - -	888 9 6
Dawley Magna	3,000	- - -	3,000 - -	3,000 - -
Dawlish	- -	2,692 - -	2,692 - -	2,532 11 -
Dearham	- -	2,724 - -	2,724 - -	2,651 10 -
Deeping St. Nicholas	- -	3,618 - -	3,618 - -	3,484 7 2
Denbigh	750	1,500 - -	2,250 - -	2,220 - -
Denbury	- -	503 - -	503 - -	482 17 -
Derby	6,530	10,966 - -	17,496 - -	17,147 4 10
Desborough	- -	2,500 - -	2,500 - -	2,474 17 -
Desford	- -	2,665 - -	2,665 - -	2,611 14 -
Devonport	- -	15,332 - -	15,332 - -	14,850 16 1
Dewsbury	- -	22,330 - -	22,330 - -	20,497 14 -
Dingestow and Tregare	- -	1,581 - -	1,581 - -	1,555 3 3
Disley Stanley	- -	4,989 - -	4,989 - -	4,931 14 5
Diss	- -	2,077 - -	2,077 - -	2,025 - 6
Distington	2,000	- - -	2,000 - -	2,000 - -
Ditcheat	150	1,250 - -	1,400 - -	1,350 - -
Doddington	1,500	- - -	1,500 - -	1,500 - -
Dolgelly	300	1,500 - -	1,800 - -	1,762 9 1
Donhead St. Mary	- -	2,264 - -	2,264 - -	2,227 2 9
Dorney	- -	1,200 - -	1,200 - -	1,179 9 5
Downham Market	- -	3,426 - -	3,426 - -	3,311 7 6
Drewsteignton	- -	1,170 - -	1,170 - -	1,136 14 10
Drighlington	- -	5,200 - -	5,200 - -	5,110 12 6
Dronfield	- -	2,751 - -	9,751 - -	9,515 14 9
Dudley	2,190	12,500 - -	14,690 - -	14,322 18 1
Duffryn and Graig	- -	2,351 - -	2,351 - -	2,303 19 7
Dullingham	1,559	- - -	1,559 - -	1,559 - -
Dunton Bassett	- -	400 - -	400 - -	389 14 1
Dunton-cum-Doughton	- -	749 - -	749 - -	704 1 -
Dutton	1,000	- - -	1,000 - -	1,000 - -
Eakring	1,050	- - -	1,050 - -	1,050 - -
Earl Soham	147	- - -	147 - -	132 6 -
Earley	- -	3,638 - -	3,638 - -	3,563 6 6
Earls Barton	- -	752 - -	752 - -	726 5 5
East and West Looe	- -	1,127 - -	1,127 - -	1,081 18 4
East and West Teignmouth	3,500	- - -	3,500 - -	3,500 - -
East and West Worlington	- -	200 - -	200 - -	192 - -
East Ardsley	- -	3,500 - -	3,500 - -	3,429 5 5
Eastcotts	- -	1,174 - -	1,174 - -	1,149 14 5
East Dereham	- -	1,280 - -	1,280 - -	1,247 - 9
East Farleigh	- -	1,344 - -	1,344 - -	1,262 6 2
East Grinstead	600	- - -	600 - -	600 - -
East Hulton	- -	1,168 - -	1,168 - -	1,137 13 3
East Ham	- -	4,750 - -	4,750 - -	4,632 9 1
East Markham	900	900 - -	1,800 - -	1,791 15 1
Easton Magna	- -	2,000 - -	2,000 - -	1,979 3 9
East Pennard	300	700 - -	1,000 - -	993 8 6
East Stonehouse	3,655	1,500 - -	5,155 - -	5,140 7 11
Eccleshill	- -	5,496 - -	5,496 - -	5,313 2 6
Eckington	1,000	18,670 - -	19,670 - -	19,017 12 9
Ecton	- -	2,374 - -	2,374 - -	2,318 10 6
Edgware	1,350	- - -	1,350 - -	1,350 - -
Edington and East Coulston	- -	948 - -	948 - -	939 5 -
Edmondbyers	- -	612 - -	612 - -	601 8 1
Eglwysilan	2,600	5,248 - -	7,848 - -	7,737 9 2
Elland-with-Greetland	2,020	4,000 - -	6,020 - -	5,976 1 6
Ellenborough and Ewanrigg	2,400	500 - -	2,900 - -	2,890 - -
Ellerby	334	- - -	334 - -	334 - -
Ellesborough	350	- - -	350 - -	350 - -
Elsing	- -	350 - -	350 - -	323 17 2

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Elstow	-	1,607 - -	1,607 - -	1,561 8 9
Elvet St. Oswald	3,123	3,270 - -	6,393 - -	6,359 14 5
Emberton	-	700 - -	700 - -	688 3 3
Epworth	-	1,700 - -	1,700 - -	1,682 1 8
Erith	1,600	9,372 - -	10,972 - -	10,788 18 2
Ermington	100	500 - -	600 - -	590 - -
Essendine	1,550	- - -	1,550 - -	1,550 - -
Eston	-	6,300 - -	6,300 - -	5,882 - -
Evenlode	200	745 - -	945 - -	937 19 2
Exeter	500	15,707 - -	16,207 - -	15,754 5 3
Exhall	2,060	- - -	2,060 - -	2,060 - -
Exmouth	614	1,600 - -	2,214 - -	2,198 18 6
Exning	-	1,986 - -	1,986 - -	1,912 11 2
Eynsham	4,400	- - -	4,400 - -	4,400 - -
Falmouth	1,500	- - -	1,500 - -	1,500 - -
Fareham	2,250	1,000 - -	3,250 - -	3,236 6 10
Farewell and Chorley	350	- - -	350 - -	350 - -
Farnborough	-	2,000 - -	2,000 - -	1,920 14 11
Farthinghoe	358	500 - -	858 - -	848 - -
Feckenham	3,502	5,000 - -	8,502 - -	8,455 14 6
Felliscliffe	-	1,100 - -	1,100 - -	1,089 16 4
Feltham	-	2,790 - -	2,790 - -	2,761 10 2
Fenwick and Moss	1,314	- - -	1,314 - -	1,314 - -
Ferryfryston	-	2,500 - -	2,500 - -	2,450 - -
Festiniog	-	6,296 - -	6,296 - -	5,858 10 4
Fewston	700	- - -	700 - -	700 - -
Filby	-	353 - -	353 - -	349 9 10
Fleet	1,776	- - -	1,776 - -	1,776 - -
Flimby	-	3,210 - -	3,210 - -	3,139 8 5
Flitwick	-	240 - -	240 - -	220 - 8
Foleshill	-	4,550 - -	4,550 - -	4,491 16 14
Ford	400	5,300 - -	5,700 - -	5,594 - -
Forest of Dean	12,040	7,000 - -	19,040 - -	18,971 7 5
Forton	1,500	- - -	1,500 - -	1,500 - -
Foulsham	-	1,017 - -	1,017 - -	1,840 6 4
Fowey	2,305	180 - -	2,485 - -	2,483 6 7
Foxton	-	780 - -	780 - -	747 17 1
Framwellgate St. Oswald	-	3,724 - -	3,724 - -	3,684 11 11
Funtingdon	-	1,388 - -	1,388 - -	1,351 5 4
Frindsbury	550	3,338 - -	3,888 - -	3,687 14 3
Fulwell	100	1,200 - -	1,300 - -	1,276 - -
Gateshead	17,188	29,295 - -	46,483 - -	45,089 14 5
Gamlingay	1,950	2,000 - -	3,950 - -	3,931 5 11
Garvestone	-	800 - -	800 - -	792 15 -
Gaywood	1,600	- - -	1,600 - -	1,600 - -
Gelligaer	230	11,625 - -	11,855 - -	11,564 13 4
Germansweek	-	200 - -	200 - -	192 - -
Gildersome	-	6,276 - -	6,276 - -	6,092 1 1
Gillingham	-	3,500 - -	3,500 - -	3,441 6 4
Gissing	-	1,110 - -	1,110 - -	1,098 1 8
Glaisdale	-	1,200 - -	1,200 - -	1,136 - -
Glanton	-	1,617 - -	1,617 - -	1,587 3 1
Glass Houghton	1,000	1,246 - -	2,246 - -	2,234 14 1
Glemsford	-	3,250 - -	3,250 - -	3,125 16 2
Glentham	1,000	- - -	1,000 - -	1,000 - -
Gloucester	4,414	- - -	4,414 - -	4,414 - -
Glusburn	-	1,512 - -	1,512 - -	1,467 8 3
Goathland	650	- - -	650 - -	650 - -
Good Easter	-	1,100 - -	1,100 - -	1,069 17 5
Goole	-	11,100 - -	11,100 - -	10,869 8 8
Gosbeck	-	600 - -	600 - -	594 10 1
Grafham	-	350 - -	350 - -	335 - 5
Graveney	-	1,280 - -	1,280 - -	1,258 12 1
Gravesend	7,100	- - -	7,100 - -	7,100 - -
Greasley	5,000	- - -	5,000 - -	5,000 - -
Great and Little Stambridge	-	1,309 - -	1,309 - -	1,296 7 6
Great and Little Usworth	5,000	- - -	5,000 - -	5,000 - -
Great Broughton	1,900	- - -	1,900 - -	1,900 - -

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Great Burstead	3,000	909 — —	3,909 — —	3,885 12 8
Great Cheverell	285	- - -	285 — —	285 — —
Great Cornard	800	- - -	800 — —	800 — —
Great Dalby	- -	1,100 — —	1,100 — —	1,080 12 9
Great Driffield	- -	5,800 — —	5,800 — —	5,609 18 —
Great Gaddesden	- -	500 — —	500 — —	491 6 11
Great Grimsby	- -	11,811 — —	11,811 — —	11,690 10 5
Great Leighs	300	- - -	300 — —	300 — —
Great Plumstead	- -	1,000 — —	1,000 — —	990 13 —
Great Rissington	144	- - -	144 — —	131 3 8
Great Sampford	- -	820 — —	820 — —	809 5 1
Great Torrington	500	1,884 — —	2,384 — —	2,194 2 1
Great Totham	69	1,100 — —	1,169 — —	1,150 5 10
Great Walsingham	- -	600 — —	600 — —	576 — —
Great Yarmouth	2,130	5,654 — —	7,784 — —	7,726 19 3
Grendon Bishop	- -	1,000 — —	1,000 — —	974 9 2
Gresham	- -	516 — —	516 — —	498 18 6
Grundisburgh	- -	2,117 — —	2,117 — —	2,057 14 7
Gulval	500	707 — —	1,207 — —	1,167 13 3
Gwennap	5,000	- - -	5,000 — —	5,000 — —
Gwyddelwern	- -	743 — —	743 — —	716 18 10
Habrough and Immingham	- -	1,340 — —	1,340 — —	1,299 4 —
Haddenham	- -	857 — —	857 — —	827 9 2
Halberton	- -	973 — —	973 — —	940 17 11
Halifax	2,000	26,370 — —	28,370 — —	26,832 11 5
Halling	- -	2,000 — —	2,000 — —	1,929 — —
Halwell and Beaworthy	220	850 — —	1,070 — —	1,053 — —
Halwell and Moreleigh	500	- - -	500 — —	500 — —
Hambledon	- -	1,932 — —	1,932 — —	1,874 4 1
Handley	- -	1,937 — —	1,937 — —	1,871 — 6
Hanslope	- -	1,712 — —	1,712 — —	1,641 17 1
Harborne	- -	6,378 — —	6,378 — —	6,256 19 11
Hardingstone	- -	1,950 — —	1,950 — —	1,930 9 —
Harlington	362	362 — —	724 — —	695 — 8
Harmondsworth	500	1,800 — —	2,300 — —	2,281 8 10
Harrington	- -	3,790 — —	3,790 — —	3,630 7 1
Harston	1,625	- - -	1,625 — —	1,625 — —
Harthill-with-Woodall	2,200	- - -	2,200 — —	2,200 — —
Hartland	386	1,000 — —	1,386 — —	1,377 — 8
Hartlebury	300	- - -	300 — —	300 — —
Hartlepool	- -	3,616 — —	3,616 — —	3,544 3 10
Huselor	150	1,000 — —	1,150 — —	1,140 14 10
Hastings	200	2,073 — —	2,273 — —	2,203 8 9
Hatfield-in-Thorne	1,000	1,050 — —	2,050 — —	2,040 2 6
Hatherleigh	150	2,410 — —	2,560 — —	2,521 19 1
Haverfordwest	900	2,900 — —	3,800 — —	3,656 — —
Haverhill	822	7,306 — —	8,128 — —	7,941 17 7
Hawes	3,000	- - -	3,000 — —	3,000 — —
Haxby	- -	1,900 — —	1,900 — —	1,862 — —
Hayes Castle	60	750 — —	810 — —	795 — —
Hayton and Oughterside	2,000	686 — —	2,686 — —	2,670 — 10
Headcorn	- -	2,750 — —	2,750 — —	2,661 15 4
Hedge	1,700	- - -	1,700 — —	1,700 — —
Heanton Punchardon and Ashford	- -	700 — —	700 — —	686 — —
Heathfield	1,500	- - -	1,500 — —	1,500 — —
Heckmondwike	- -	7,950 — —	7,950 — —	7,802 11 10
Hedon	- -	700 — —	700 — —	682 2 6
Hedworth Monkton and Jarrow	- -	24,573 — —	24,573 — —	23,767 11 5
Hemel Hempstead	- -	4,000 — —	4,000 — —	3,920 — —
Hemingbrough	2,050	- - -	2,050 — —	2,050 — —
Hempnall	- -	363 — —	363 — —	351 3 2
Hemyock	- -	1,110 — —	1,110 — —	1,097 5 6
Henham	- -	1,231 — —	1,231 — —	1,210 7 2
Henllan	951	- - -	951 — —	951 — —
Herbrandston	365	- - -	365 — —	365 — —
Hevingham	- -	550 — —	550 — —	539 — —
Heworth	5,500	- - -	5,500 — —	5,500 — —
Hibaldstow	- -	1,290 — —	1,290 — —	1,229 8 —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Hickling	500	- - -	500 - -	500 - -
High Abbotside	-	1,564 - -	1,564 - -	1,538 10 3
High Ercall	1,626	- - -	1,626 - -	1,626 - -
Higham Ferrers	-	2,550 - -	2,550 - -	2,468 18 9
High and Low Bishopside	-	5,792 - -	5,792 - -	5,637 4 7
Hillmorton	-	1,100 - -	1,100 - -	1,074 8 10
Hinckley	3,500	- - -	3,500 - -	3,500 - -
Hinderwell	1,615	- - -	1,615 - -	1,615 - -
Hingham	-	2,464 - -	2,464 - -	2,316 3 -
Hinxworth and Edworth	-	1,000 - -	1,000 - -	983 9 10
Hittisleigh	200	844 - -	1,044 - -	1,016 4 8
Holbeach	1,381	1,390 - -	2,771 - -	2,743 4 -
Hollesley	-	1,450 - -	1,450 - -	1,432 7 8
Hollingbourn	2,350	- - -	2,350 - -	2,350 - -
Hollington	-	1,780 - -	1,780 - -	1,661 16 3
Holme Low	-	1,850 - -	1,850 - -	1,661 16 5
Hoyland Nether	-	6,824 - -	6,824 - -	6,676 19 6
Holme St. Cuthbert	-	1,158 - -	1,158 - -	1,103 18 8
Holme-on-Spalding Moor	-	1,220 - -	1,220 - -	1,199 9 9
Holyhead	-	5,355 - -	5,355 - -	5,187 18 -
Holywell	6,310	1,780 - -	8,090 - -	8,073 12 1
Hoo St. Werburgh	-	2,200 - -	2,200 - -	2,163 9 7
Hope	-	3,924 - -	3,924 - -	3,858 14 4
Horley	-	1,493 - -	1,493 - -	1,419 8 3
Hornsey	21,875	8,000 - -	29,875 - -	29,715 - -
Horstead with-Stanninghall	400	680 - -	1,080 - -	1,049 9 3
Horwood and Newton Tracey	-	300 - -	300 - -	294 - -
Hound	-	742 - -	742 - -	729 17 10
Hucknall Torkard	-	5,800 - -	5,800 - -	5,686 2 11
Huddersfield	7,900	70,241 - -	78,141 - -	76,561 19 6
Hundon	-	1,274 - -	1,274 - -	1,223 - 8
Hunstanton	-	1,500 - -	1,500 - -	1,474 9 10
Huntspill	800	- - -	800 - -	800 - -
Hutton Cranswick	-	1,010 - -	1,010 - -	949 8 -
Ightham	363	- - -	363 - -	363 - -
Ilchester	1,198	- - -	1,198 - -	1,198 - -
Ilketshall St. Lawrence	1,000	- - -	1,000 - -	1,000 - -
Illogan	-	2,686 - -	2,686 - -	2,592 1 1
Ilminster	-	3,800 - -	3,800 - -	3,761 6 -
Ingham	1,500	- - -	1,500 - -	1,500 - -
Inkberrow	600	3,061 - -	3,661 - -	3,629 15 10
Inkpen	386	1,000 - -	1,386 - -	1,376 17 6
Ipswich	1,550	14,177 - -	15,727 - -	15,230 7 4
Irthington	-	1,200 - -	1,200 - -	1,172 3 4
Isle Abbots	524	- - -	524 - -	524 - -
Itchen Abbas	-	665 - -	665 - -	647 9 2
Keighley	12,340	5,200 - -	17,540 - -	17,491 14 3
Kenninghall	-	500 - -	500 - -	482 5 9
Kenton	-	1,381 - -	1,381 - -	1,367 18 5
Kenwyn	-	841 - -	841 - -	824 3 7
Kettleburgh	300	- - -	300 - -	300 - -
Keyingham	-	1,700 - -	1,700 - -	1,658 - 2
Keysoe	-	1,460 - -	1,460 - -	1,425 1 2
Kidderminster	1,000	4,967 - -	5,967 - -	5,822 16 2
Killinghall	720	620 - -	1,340 - -	1,333 18 1
Killybebill	-	1,627 - -	1,627 - -	1,571 18 5
Kingsbury Episcopi	-	2,600 - -	2,600 - -	2,575 8 8
King's Norton	17,975	5,899 - -	23,874 - -	23,819 5 5
Kingston-on-Hull	10,569	77,365 - -	87,934 - -	86,377 15 8
Kings-Walden	-	715 - -	715 - -	689 5 4
Kingswinford	2,800	13,500 - -	16,300 - -	15,959 9 7
Kington	-	1,600 - -	1,600 - -	1,572 3 1
Kinver	-	3,100 - -	3,100 - -	3,031 17 8
Kippax	2,100	- - -	2,100 - -	2,100 - -
Kirkandrews-on-Eden	-	1,360 - -	1,360 - -	1,337 8 3
Kirkbride	-	805 - -	805 - -	790 18 -
Kirkby-in-Ashfield	5,500	2,000 - -	7,500 - -	7,480 2 11
Kirkby Stephen	415	2,500 - -	2,915 - -	2,891 17 3

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS. ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Kirkby Thore	-	1,065 - -	1,065 - -	1,047 6 2
Kirkland and Blencarn	500	- -	500 - -	500 - -
Knottingley	-	1,599 - -	1,599 - -	1,557 16 8
Kyo Laws	5,000	484 - -	5,484 - -	5,467 17 4
Laindon	-	1,259 - -	1,259 - -	1,247 4 5
Lakenheath	419	2,000 - -	2,419 - -	2,379 - -
Lambourne	3,590	- - -	3,590 - -	3,590 - -
Langenhoe	350	- - -	350 - -	350 - -
Langford	-	2,009 - -	2,009 - -	1,980 4 -
Langham	-	412 - -	412 - -	381 2 -
Langley Marish	-	2,000 - -	2,000 - -	1,956 2 4
Langport Eastover, &c.	-	2,800 - -	2,800 - -	2,760 3 9
Lanivet	390	- - -	390 - -	390 - -
Lanlivery	800	- - -	800 - -	800 - -
Lanteglos-by-Fowey	500	- - -	500 - -	500 - -
Launceston	-	730 - -	730 - -	705 18 2
Leckhampstead	448	- - -	448 - -	448 - -
Leeds	43,315	208,542 - -	251,857 - -	246,930 1 6
Leicester	9,102	55,290 - -	64,392 - -	62,901 3 1
Lenham	-	770 - -	770 - -	733 19 9
Lepton	-	2,000 - -	2,000 - -	1,979 19 1
Lessingham and Hempstead	-	374 - -	374 - -	369 14 10
Leverington	-	1,615 - -	1,615 - -	1,599 11 8
Leyton	906	17,926 - -	18,832 - -	18,611 18 1
Lezant	1,249	- - -	1,249 - -	1,249 - -
Lidgate	365	- - -	365 - -	365 - -
Lindsell	1,140	- - -	1,140 - -	1,140 - -
Linkinhorne	800	400 - -	1,200 - -	1,195 14 5
Linslade	-	2,578 - -	2,578 - -	2,490 13 11
Liss	-	1,100 - -	1,100 - -	1,052 4 7
Little Bytham	-	784 - -	784 - -	776 1 3
Littleham and Landcross	100	500 - -	600 - -	595 8 5
Little Hampton	2,857	- - -	2,857 - -	2,857 - -
Little Maplestead	-	550 - -	550 - -	544 12 10
Littleport	-	850 - -	850 - -	816 - -
Little Staughton	-	232 - -	232 - -	222 14 4
Little Strickland and Thrimby	-	120 - -	120 - -	108 - -
Little Stukeley	-	401 - -	401 - -	390 19 -
Liverpool	14,757	111,544 - -	126,301 - -	123,643 1 11
Liversedge	8,019	7,106 - -	15,125 - -	15,002 12 10
Llanaber	-	400 - -	400 - -	355 8 10
Llanaelhaiarn	-	600 - -	600 - -	579 12 9
Llanarmon-yn-Yale	-	1,972 - -	1,972 - -	1,948 17 5
Llanarth	498	1,494 - -	1,992 - -	1,971 11 10
Llanbadarn-fawr (Radnor)	1,700	- - -	1,700 - -	1,700 - -
Llanbadarn-fawr (Cardigan)	960	355 - -	1,315 - -	1,311 14 11
Llanbeblig	-	1,850 - -	1,850 - -	1,819 1 8
Llanberis	-	3,140 - -	3,140 - -	3,091 1 9
Llanboidy and Llangan	3,340	- - -	3,340 - -	3,340 - -
Llancarvan	-	711 - -	711 - -	682 11 2
Llancynfelin	-	915 - -	915 - -	878 8 -
Llanddeiniolen	-	4,613 - -	4,613 - -	4,464 10 5
Llandewi Brefi	-	1,650 - -	1,650 - -	1,589 - -
Llandebie	3,000	1,459 - -	4,459 - -	4,445 15 6
Llandilo Tulybont	1,937	- - -	1,937 - -	1,937 - -
Llandinam	-	800 - -	800 - -	773 9 -
Llandissilio	-	1,350 - -	1,350 - -	1,336 17 1
Llandrillo and Eirias	2,586	- - -	2,586 - -	2,586 - -
Llandwrog	-	2,715 - -	2,715 - -	2,621 1 11
Llanelly (Brecon)	1,159	7,045 - -	8,204 - -	8,001 16 4
Llanelly (Carmarthen)	403	12,020 - -	12,423 - -	12,160 1 3
Llanerfil	-	743 - -	743 - -	682 15 -
Llanfachreth	-	710 - -	710 - -	681 12 -
Llanfair Caerinion	-	1,121 - -	1,121 - -	1,095 6 2
Llanfairclydogan	699	- - -	699 - -	699 - -
Llanfair Dyffryn Clwyd	-	800 - -	800 - -	773 6 11
Llanfairmathafarneithaf and Llandyfnan	580	- - -	580 - -	580 - -
Llanfairtalhaiarn	1,500	- - -	1,500 - -	1,500 - -

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*				
Llanfihangel-ar-Arth	870	- - -	870 - -	870 - -
Llanfihangel Llantarnam	-	2,500 - -	2,500 - -	2,417 1 4
Llanfihangel Rhydithon	-	400 - -	400 - -	380 - -
Llanfihangel Croyddin, Upper	-	650 - -	650 - -	624 - -
Llanfihangel Ystrad	646	3,746 - -	4,392 - -	4,337 4 9
Llanfor	-	680 - -	680 - -	663 2 3
Llangadock	2,000	- - -	2,000 - -	2,000 - -
Llangain	-	750 - -	750 - -	737 - 4
Llangammarch	-	2,477 - -	2,477 - -	2,453 5 3
Llangan and St. Mary Hill	-	430 - -	430 - -	422 11 11
Llanganten, Llanynys, and Rhosferig	265	1,100 - -	1,365 - -	1,354 19 2
Llangattock	-	924 - -	924 - -	895 5 3
Llangattock-nigh-Usk	-	700 - -	700 - -	672 - -
Llangeiynin	-	684 - -	684 - -	659 13 6
Llangendeirne	700	- - -	700 - -	700 - -
Llangurig	-	2,157 - -	2,157 - -	2,085 - 9
Llangoedmore	-	1,400 - -	1,400 - -	1,386 15 5
Llangollen	-	2,409 - -	2,409 - -	2,231 9 4
Llangunnor	650	- - -	650 - -	650 - -
Llanguicke	2,123	2,370 - -	4,493 - -	4,445 12 -
Llangwm	-	800 - -	800 - -	768 - -
Llangybi	400	620 - -	1,020 - -	995 4 -
Llangynider	-	2,650 - -	2,650 - -	2,589 8 9
Llangynog and Pennant Ucha	-	970 - -	970 - -	953 11 10
Llanidloes (parish)	-	1,946 - -	1,946 - -	1,887 1 4
Llanidloes (Borough)	-	2,460 - -	2,460 - -	2,381 4 7
Llanllwchaiarn	1,060	- - -	1,060 - -	1,060 - -
Llanllyfni	2,802	2,178 - -	4,980 - -	4,839 5 9
Llannon	-	805 - -	805 - -	769 14 5
Llannor and Llanfihangel Bachaellaeth	165	500 - -	665 - -	660 - 9
Llanrhidian, Higher	410	2,800 - -	3,210 - -	3,149 17 11
Llanrhystyd	189	500 - -	689 - -	684 2 8
Llanrug	-	451 - -	451 - -	414 19 -
Llanrwst	450	2,092 - -	2,542 - -	2,489 7 -
Llansadwrn	-	765 - -	765 - -	719 2 -
Llansaintffraed-in-Elve	-	600 - -	600 - -	576 - -
Llansawel	-	895 - -	895 - -	880 6 2
Llansilin	850	- - -	850 - -	850 - -
Llanspyddid	690	- - -	690 - -	690 - -
Llanstadwell	-	2,561 - -	2,561 - -	2,478 8 11
Llantrisant	739	5,995 - -	6,734 - -	6,647 - 5
Llantwit Major	-	1,000 - -	1,000 - -	920 - -
Llantwitfardre	-	8,967 - -	8,967 - -	8,724 6 5
Llanvillo	-	788 - -	788 - -	780 6 6
Llanvrechva, Upper	-	3,690 - -	3,690 - -	3,591 11 2
Llanvrechva, Lower	-	1,250 - -	1,250 - -	1,220 19 -
Llanwenog	965	- - -	965 - -	965 - -
Llanwnda and Bettws Garmon	-	1,452 - -	1,452 - -	1,438 - 1
Llanwnda Henner	-	530 - -	530 - -	508 16 -
Llanwonno	4,500	12,225 - -	16,725 - -	16,083 9 1
Llanybyther	-	967 - -	967 - -	934 11 9
Llanychaiarn	-	1,450 - -	1,450 - -	1,424 6 6
Llanycil	-	1,495 - -	1,495 - -	1,448 18 5
Lockington	1,000	- - -	1,000 - -	1,000 - -
Lofthouse with Carlton	-	6,535 - -	6,535 - -	6,426 9 -
London	500,000	2,431,180 - -	2,931,180 - -	2,878,488 14 3
Longbenton	9,105	9,210 - -	18,315 - -	18,130 16 -
Long Buckby	-	3,337 - -	3,337 - -	3,283 3 11
Long Crendon	-	2,500 - -	2,500 - -	2,474 18 10
Long Eaton	565	5,793 - -	6,358 - -	6,256 17 3
Longton	-	4,954 - -	4,954 - -	4,800 6 9
Longtown	505	3,000 - -	3,505 - -	3,435 9 6
Longwood	500	3,000 - -	3,500 - -	3,440 - -
Lopen	815	- - -	815 - -	815 - -
Loveston	-	420 - -	420 - -	415 12 6
Lower Halstow	-	847 - -	847 - -	832 8 6
Luckington	-	843 - -	843 - -	813 16 10
Ludgvan	1,000	- - -	1,000 - -	1,000 - -
Ludham	-	1,200 - -	1,200 - -	1,155 15 9

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877–78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Lusuleigh	219	900 — —	1,119 — —	1,106 11 3
Luton	—	6,745 — —	6,745 — —	6,512 15 —
Lydeard, St. Lawrence	1,000	600 — —	1,600 — —	1,594 7 9
Lydford	800	— — —	800 — —	800 — —
Lyng	—	787 — —	787 — —	739 15 6
Lynsted	1,200	350 — —	1,550 — —	1,546 13 2
Lytchett Matravers	—	1,800 — —	1,800 — —	1,704 — —
Maesmynys and Llangynog	910	— — —	910 — —	910 — —
Mallerstang	529	— — —	529 — —	529 — —
Manchester	13,500	48,146 — —	61,646 — —	60,403 — 10
Manea	2,200	— — —	2,200 — —	2,200 — —
Maunden	1,575	— — —	1,575 — —	1,575 — —
March	—	4,670 — —	4,670 — —	4,515 2 4
Marden	—	1,790 — —	1,790 — —	1,736 16 2
Margate	700	— — —	700 — —	700 — —
Marrick	695	— — —	695 — —	695 — —
Marston Moretaine	163	1,100 — —	1,263 — —	1,247 13 5
Marston, St. Lawrence	500	— — —	500 — —	500 — —
Marwood	—	250 — —	250 — —	241 13 4
Mason	1,883	1,000 — —	2,883 — —	2,863 2 10
Mawgan in Meneage	1,178	— — —	1,178 — —	1,178 — —
Mawr	—	960 — —	960 — —	951 4 1
Maxey	—	425 — —	425 — —	410 16 8
Mayland and Althorne	—	1,600 — —	1,600 — —	1,578 5 11
Mearq	—	2,679 — —	2,679 — —	2,603 13 1
Melbourne	1,000	— — —	1,000 — —	1,000 — —
Melindwr	1,000	— — —	1,000 — —	1,000 — —
Meline and Whitechurch	1,000	— — —	1,000 — —	1,000 — —
Melton Parva	—	829 — —	829 — —	1,000 — —
Mendham	—	1,070 — —	1,070 — —	779 5 —
Merriott	—	1,000 — —	1,000 — —	1,027 4 —
Mersham	400	800 — —	1,200 — —	980 — —
Merthyr Cynog	420	— — —	420 — —	1,192 16 6
Merthyr Tydfil	2,500	27,262 — —	29,762 — —	420 — —
Methley	6,200	— — —	6,200 — —	28,156 5 9
Mevagissey	1,300	1,300 — —	2,600 — —	6,200 — —
Mexborough	2,030	2,000 — —	4,030 — —	2,587 16 10
Michelmersh	833	2,000 — —	2,833 — —	4,011 8 11
Middlesbrough	273	30,622 — —	30,895 — —	2,793 — —
Middleton	2,000	— — —	2,000 — —	30,026 18 11
Middlezoy	—	306 — —	306 — —	2,000 — —
Midgley	607	2,000 — —	2,607 — —	276 17 —
Mildenhall	—	5,100 — —	5,100 — —	2,587 12 6
Milton Lilborne	1,018	— — —	1,018 — —	4,844 — —
Minster in Sheppey	5,191	5,210 — —	10,401 — —	1,018 — —
Minting	600	— — —	600 — —	10,351 18 8
Misterton	—	996 — —	996 — —	600 — —
Mitcham	—	4,350 — —	4,350 — —	956 3 2
Mold	2,500	4,405 — —	6,905 — —	4,002 — —
Monmouth	250	2,533 — —	2,783 — —	6,850 4 6
Moorsholm-cum-Gerrick	2,197	— — —	2,197 — —	2,750 7 1
Morden	—	1,300 — —	1,300 — —	2,197 — —
Moretonhampstead	—	1,351 — —	1,351 — —	1,288 16 11
Morthoe	1,238	— — —	1,238 — —	1,226 16 3
Mottingham	2,100	— — —	2,100 — —	1,238 — —
Moulton	1,110	— — —	1,110 — —	2,100 — —
Mullion	—	181 — —	181 — —	1,110 — —
Mundesley	—	230 — —	230 — —	166 10 4
Murton	1,500	— — —	1,500 — —	222 6 8
Musbury	1,298	— — —	1,298 — —	1,500 — —
Mynyddislwyn	—	8,315 — —	8,315 — —	1,298 — —
Nantmel	660	500 — —	1,160 — —	8,000 16 —
Narberth	—	1,325 — —	1,325 — —	1,154 13 —
Narberth, South	900	— — —	900 — —	1,288 15 —
Nateby and Wharton	—	720 — —	720 — —	900 — —
Nazeing	1,100	— — —	1,100 — —	705 2 1
Nedging and Naughton	—	301 — —	301 — —	1,100 — —
Nether Denton	—	850 — —	850 — —	293 4
Netherwitton	—	882 — —	882 — —	799 — —
				873 9 11

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Nevern	835	- - -	835 - -	835 - -
Nevin	-	115 - -	115 - -	113 18 2
Newbold-upon-Avon	1,650	- - -	1,650 - -	1,650 - -
Newcastle-upon-Tyne	-	40,992 - -	40,992 - -	40,031 14 3
Newcastle-under-Lyme	-	1,208 - -	1,208 - -	1,187 13 10
Newchurch	-	2,700 - -	2,700 - -	2,548 - -
Newmarket, St. Mary	-	1,150 - -	1,150 - -	1,104 - -
Newport, Essex	-	400 - -	400 - -	393 4 9
Newport, Isle of Wight	2,000	981 - -	2,981 - -	2,061 19 6
Newport, St. Woollos	450	- - -	450 - -	450 - -
Newport, Monmouth	-	4,205 - -	4,205 - -	4,080 14 3
Newport, Pembroke	-	925 - -	925 - -	896 7 4
New Shoreham	-	3,750 - -	3,750 - -	3,664 2 11
Newton, St. Cyres	-	1,352 - -	1,352 - -	1,329 18 11
Newton Valance	-	829 - -	829 - -	820 13 9
Newtown and Llanllwchaiarn	620	2,563 - -	3,183 - -	3,119 18 4
Normanton	2,557	7,210 - -	9,767 - -	9,719 4 9
Normanton-on-Soar	-	587 - -	587 - -	581 6 9
Northampton	7,784	18,477 - -	26,261 - -	24,988 18 4
North and South Cowton	200	- - -	200 - -	200 - -
North and South Killingholme	-	1,498 - -	1,498 - -	1,449 - 10
North Bedburn	3,000	- - -	3,000 - -	3,000 - -
Northborough	-	1,200 - -	1,200 - -	1,188 2 10
North Fambridge	-	645 - -	645 - -	628 1 8
North Molton	-	775 - -	775 - -	763 9 3
North Mundham	-	900 - -	900 - -	804 - -
Northowram	2,043	1,000 - -	3,043 - -	3,033 1 5
North Petherton and St. Michaelchurch	1,761	1,990 - -	3,751 - -	3,701 8 6
North Petherwyn	-	750 - -	750 - -	742 18 3
North Scarle	200	230 - -	430 - -	425 8 -
North Tawton	-	1,500 - -	1,500 - -	1,469 3 5
North Walsham	-	3,300 - -	3,300 - -	3,197 - 6
Norton, Derby	-	2,410 - -	2,410 - -	1,554 6 7
Norton, Durham	-	5,600 - -	5,600 - -	5,443 13 9
Norton, Lindsey and Wolverton	-	850 - -	850 - -	835 4 -
Norton-under-Cannock	2,000	- - -	2,000 - -	2,000 - -
Norwich	14,085	15,281 - -	26,366 - -	26,026 4 11
Nottingham	9,547	16,904 - -	26,451 - -	26,055 8 7
Offham	-	1,559 - -	1,559 - -	1,533 17 6
Offord	-	1,050 - -	1,050 - -	1,008 - -
Okehampton	-	1,670 - -	1,670 - -	1,641 7 4
Oldham	2,500	10,000 - -	12,500 - -	11,778 16 -
Olney	1,000	1,500 - -	2,500 - -	2,485 4 3
Ordsall	400	2,300 - -	2,700 - -	2,626 8 -
Orleston	-	1,250 - -	1,250 - -	1,216 5 5
Ormesby	-	7,972 - -	7,972 - -	7,852 14 3
Orton	-	555 - -	555 - -	545 7 10
Otley	-	124 - -	124 - -	120 18 6
Ottery St. Mary	-	2,212 - -	2,212 - -	2,183 6 11
Oulton	1,500	- - -	1,500 - -	1,500 - -
Ovenden	-	12,370 - -	12,370 - -	12,248 14 11
Over	222	2,500 - -	2,722 - -	2,699 13 5
Owslebury	-	268 - -	268 - -	256 14 1
Owthorne	2,000	- - -	2,000 - -	2,000 - -
Oxhill	-	475 - -	475 - -	446 10 -
Oystermouth	2,865	- - -	2,865 - -	2,865 - -
Padstow	280	2,661 - -	2,941 - -	2,896 16 6
Panfield	-	477 - -	477 - -	468 8 2
Parkham	-	800 - -	800 - -	792 16 6
Parson Drove	-	700 - -	700 - -	686 - -
Paston	1,154	- - -	1,154 - -	1,154 - -
Patcham	-	1,560 - -	1,560 - -	1,545 5 2
Peasenhall	-	1,818 - -	1,818 - -	1,779 6 6
Peckleton	-	800 - -	800 - -	792 18 -
Pembrey	-	3,150 - -	3,150 - -	3,085 1 10
Pembroke	2,000	4,018 - -	6,018 - -	5,890 5 10
Pembury	-	2,450 - -	2,450 - -	2,369 5 3
Penarth	500	3,060 - -	3,560 - -	3,517 18 -
Penbryn	-	1,510 - -	1,510 - -	1,495 17 6

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Pencarreg	254	1,150 — —	1,404 — —	1,389 14 2
Pencoyd	649	— — —	649 — —	649 — —
Penderyn	— —	765 — —	765 — —	739 7 4
Penllyne	— —	507 — —	507 — —	489 18 9
Penmorfa	— —	2,108 — —	2,108 — —	2,061 3 5
Penmynydd	— —	548 — —	548 — —	534 1 —
Penrith	571	195 — —	766 — —	727 — —
Pensaw and Offerton	3,000	— — —	3,000 — —	3,000 — —
Perranzabuloe	— —	1,497 — —	1,497 — —	1,481 18 6
Peterstone	— —	446 — —	446 — —	434 14 9
Piddington	— —	2,825 — —	2,825 — —	2,768 10 —
Pirton	— —	2,420 — —	2,420 — —	2,396 1 10
Pleasington	750	— — —	750 — —	750 — —
Plumpton	1,400	— — —	1,400 — —	1,397 1 2
Plymouth	1,200	18,213 — —	19,413 — —	18,457 8 1
Plymstock	530	1,685 — —	2,215 — —	2,072 19 4
Polstead	— —	1,240 — —	1,240 — —	1,202 16 —
Porchester	— —	970 — —	970 — —	945 10 10
Poringland	130	1,809 — —	1,939 — —	1,909 17 5
Portsmouth	— —	67,901 — —	67,901 — —	65,996 9 8
Potter Heigham	— —	144 — —	144 — —	139 2 6
Potton	— —	3,950 — —	3,950 — —	3,886 12 9
Poulton	600	3,094 — —	3,694 — —	3,632 2 4
Poundstock	— —	347 — —	347 — —	342 1 9
Prescot	200	3,900 — —	4,100 — —	4,063 3 2
Preston	1,890	— — —	1,890 — —	1,890 — —
Pudsey	2,200	9,447 — —	11,647 — —	11,535 5 —
Puriton	— —	286 — —	286 — —	247 — —
Queenborough	— —	1,562 — —	1,562 — —	1,499 7 2
Radford	10,312	— — —	10,312 — —	10,312 — —
Radstock	562	1,596 — —	2,158 — —	2,143 1 5
Ramsbury	— —	3,884 — —	3,884 — —	3,738 5 1
Ratby	— —	1,710 — —	1,710 — —	1,636 5 6
Rawcliffe-in-Snaith	1,183	— — —	1,183 — —	1,183 — —
Rawmarsh	1,000	— — —	1,000 — —	1,000 — —
Reading	— —	16,552 — —	16,552 — —	16,074 14 10
Redruth	— —	2,142 — —	2,142 — —	2,106 12 7
Reighton	150	1,000 — —	1,150 — —	1,140 14 10
Renwick	— —	800 — —	800 — —	784 — —
Repps-with-Bastwick	300	— — —	300 — —	300 — —
Rettendon	1,700	— — —	1,700 — —	1,700 — —
Reynoldston	1,468	— — —	1,468 — —	1,468 — —
Rhigos	— —	807 — —	807 — —	793 3 9
Rhyndwy Clydach	395	— — —	395 — —	395 — —
Rillington	— —	900 — —	900 — —	860 — —
Ringmer	2,160	— — —	2,160 — —	2,160 — —
Risca	3,500	— — —	3,500 — —	3,500 — —
River	— —	1,144 — —	1,144 — —	1,098 4 8
Roade	— —	1,642 — —	1,642 — —	1,596 12 8
Rochdale	— —	1,170 — —	1,170 — —	1,105 4 8
Roche	— —	420 — —	420 — —	390 16 —
Rochester	1,856	6,000 — —	7,856 — —	7,088 5 —
Rochford	1,500	2,000 — —	3,500 — —	3,481 5 11
Rockland, St. Peter	— —	350 — —	350 — —	346 13 10
Rogerstone and Henllis	3,350	— — —	3,350 — —	3,350 — —
Romansleigh and Mariansleigh	— —	600 — —	600 — —	594 8 11
Rose Ash	250	— — —	250 — —	250 — —
Ross	— —	6,487 — —	6,487 — —	6,281 17 9
Rotherfield	— —	2,368 — —	2,368 — —	2,334 19 3
Rotherham	2,000	— — —	2,000 — —	2,000 — —
Rothwell and Thorpe Stapleton	400	4,845 — —	5,245 — —	5,160 8 —
Rowley Regis	1,400	17,563 — —	18,963 — —	18,398 11 4
Roydon	— —	1,600 — —	1,600 — —	1,584 8 6
Ruabon	— —	11,907 — —	11,907 — —	11,676 11 11
Rumburgh	— —	60 — —	60 — —	38 7 8
Rumney	1,200	— — —	1,200 — —	1,200 — —
Ruthin and Llanfwrog	— —	500 — —	500 — —	495 15 1
Ryde	— —	7,100 — —	7,100 — —	7,024 8 3
Rye	— —	2,203 — —	2,203 — —	2,129 17 4

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
St. Agnes	1,000	4,845 — —	5,845 — —	5,735 2 1
St. Allen	600	— — —	600 — —	600 — —
St. Austell	2,250	4,569 — —	6,819 — —	6,645 3 4
St. Bees	—	1,800 — —	1,800 — —	1,769 11 4
St. Blazey	—	1,478 — —	1,478 — —	1,398 10 9
St. Breock and Egloshayle	1,849	1,157 — —	3,006 — —	2,986 4 —
St. Clears	—	935 — —	935 — —	878 18 —
St. Cleer	—	1,200 — —	1,200 — —	1,176 — —
St. Columb Major	—	2,190 — —	2,190 — —	2,118 2 6
St. Columb Minor	1,400	1,000 — —	2,400 — —	2,390 18 9
St. David's	—	949 — —	949 — —	909 1 4
St. Endellion	—	2,400 — —	2,400 — —	2,371 18 1
St. Erme	530	— — —	530 — —	524 18 10
St. Eval	—	302 — —	302 — —	299 — 6
St. Ewe	398	— — —	398 — —	398 — —
St. Gennys	—	550 — —	550 — —	544 15 —
St. Germoe	—	780 — —	780 — —	771 8 7
St. George	6,602	2,000 — —	8,602 — —	8,562 — —
St. Gluvias	475	— — —	475 — —	475 — —
St. Hilary	600	300 — —	900 — —	897 5 7
St. Issell's	1,778	— — —	1,778 — —	1,778 — —
St. Just, in Penwith	1,702	— — —	1,702 — —	1,702 — —
St. Keverne	175	825 — —	1,000 — —	959 6 —
St. Merryn	—	1,200 — —	1,200 — —	1,182 6 6
St. Mewan	—	1,260 — —	1,260 — —	1,217 15 10
St. Nicholas	—	1,200 — —	1,200 — —	1,179 14 11
St. Stephen, in Branwell	828	— — —	828 — —	828 — —
St. Stephen's, by Saltash	—	790 — —	790 — —	769 19 8
St. Stythian's	169	928 — —	1,097 — —	1,064 4 11
St. Thomas-the-Apostle	—	4,473 — —	4,473 — —	4,152 3 —
Saltash	—	2,000 — —	2,000 — —	1,932 4 2
Sanderstead	—	1,310 — —	1,310 — —	1,287 19 6
Sandiacre	850	— — —	850 — —	850 — —
Sandwich	1,200	2,400 — —	3,600 — —	3,577 19 11
Sawston	320	2,020 — —	2,340 — —	2,299 12 —
Sawtry	—	2,250 — —	2,250 — —	2,213 1 5
Scarborough	900	11,600 — —	12,500 — —	12,120 — 5
Scredington	350	350 — —	700 — —	695 13 8
Scybor-y-Coed	—	402 — —	402 — —	369 16 8
Seagrave	1,187	— — —	1,187 — —	1,187 — —
Seaton	2,000	— — —	2,000 — —	2,000 — —
Sedgley	3,400	— — —	3,400 — —	3,400 — —
Senny	—	550 — —	550 — —	540 3 —
Sevenoaks	1,715	— — —	1,715 — —	1,715 — —
Shap	695	— — —	695 — —	695 — —
Sharnbrook	—	2,252 — —	2,252 — —	2,171 6 10
Shavington-cum-Gresty	—	1,450 — —	1,450 — —	1,424 15 3
Shebbear	—	2,025 — —	2,025 — —	2,000 16 6
Sheffield	—	154,721 — —	154,721 — —	151,321 3 9
Shefford	234	2,400 — —	2,634 — —	2,611 3 3
Shelf	—	2,645 — —	2,645 — —	2,620 5 2
Sherburn	—	2,000 — —	2,000 — —	1,964 — —
Sherford	360	— — —	360 — —	360 — —
Shernbourne	—	800 — —	800 — —	792 13 5
Shevington	—	1,600 — —	1,600 — —	1,586 — —
Shipley	12,000	16,500 — —	28,500 — —	27,914 15 1
Shipston-on-Stour	—	3,350 — —	3,350 — —	3,176 — —
Shirland and Higham	700	2,500 — —	3,200 — —	3,121 10 8
Shorthampton	—	275 — —	275 — —	269 10 —
Shute	—	1,681 — —	1,681 — —	1,664 15 10
Sidlesham	1,800	— — —	1,800 — —	1,800 — —
Silsden	—	3,914 — —	3,914 — —	3,861 2 1
Sithney	450	— — —	450 — —	450 — —
Skelton and Stanghow	5,230	4,280 — —	9,510 — —	9,471 12 4
Skenfrith	3,600	1,550 — —	5,150 — —	5,136 3 10
Skerne	600	— — —	600 — —	600 — —
Skipton and Catton	—	738 — —	738 — —	725 11 10
Slapton	—	1,100 — —	1,100 — —	1,081 13 3
Slaugham	3,200	— — —	3,200 — —	3,200 — —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Smarden	-	517 - -	517 - -	503 18 -
Smeaton and Hornby	-	684 - -	684 - -	665 8 -
Sneinton	8,220	- - -	8,220 - -	8,220 - -
Snettisham	-	2,200 - -	2,200 - -	2,143 2 10
Soham	-	4,480 - -	4,480 - -	4,225 17 1
Somerby	-	1,500 - -	1,500 - -	1,486 16 8
Soothill	-	10,438 - -	10,438 - -	10,181 6 1
Soulby	-	400 - -	400 - -	380 - -
Southam	-	1,250 - -	1,250 - -	1,200 - -
Southampton	600	10,365 - -	10,965 - -	10,735 4 8
South Bersted	-	4,500 - -	4,500 - -	4,164 12 -
South Brent	-	2,500 - -	2,500 - -	2,471 19 9
Southery	-	2,030 - -	2,030 - -	2,005 6 6
South Gosforth	500	3,500 - -	4,000 - -	3,967 13 1
South Milford	230	2,000 - -	2,230 - -	2,211 2 -
South Normanton	3,000	- - -	3,000 - -	3,000 - -
Southowram	1,850	6,100 - -	7,950 - -	7,860 13 11
South Shields	-	20,779 - -	20,779 - -	19,455 3 -
South Tawton	-	1,690 - -	1,690 - -	1,652 3 5
Southwick (Durham)	3,000	4,952 - -	7,952 - -	7,812 19 2
Southwick (Sussex)	200	2,850 - -	3,050 - -	2,993 10 4
South Wingfield	-	3,400 - -	3,400 - -	3,352 19 6
Stainforth (in Thorne)	-	1,800 - -	1,800 - -	1,764 16 7
Stainton	-	1,343 - -	1,343 - -	1,251 9 4
Stalham	1,450	- - -	1,450 - -	1,450 - -
Stalisfield	-	1,100 - -	1,100 - -	1,080 17 1
Stamford Bishop and Acton Beauchamp	1,050	- - -	1,050 - -	1,050 - -
Stanhope	400	7,973 - -	8,373 - -	8,244 14 7
Stanley-with-Wrenthorpe	7,105	- - -	7,105 - -	7,105 - -
Stansfield	-	700 - -	700 - -	672 - -
Stansty	1,650	- - -	1,650 - -	1,650 - -
Stanton	436	800 - -	1,236 - -	1,228 2 8
Stanwick	-	615 - -	615 - -	609 7 3
Stapleford	1,496	- - -	1,496 - -	1,496 - -
Staplehurst	-	3,000 - -	3,000 - -	2,700 - -
Stevington	670	- - -	670 - -	670 - -
Steynton	-	3,300 - -	3,300 - -	3,267 12 3
Stockton-on-Tees	-	7,171 - -	7,171 - -	6,898 - 8
Stoke (United District)	-	1,700 - -	1,700 - -	1,672 17 1
Stoke (Warwick)	-	1,393 - -	1,393 - -	1,339 8 9
Stokeclimsland	500	- - -	500 - -	500 - -
Stokefleming	-	2,282 - -	2,282 - -	2,241 16 -
Stoke Gabriel	-	1,100 - -	1,100 - -	1,088 17 -
Stokeinteignhead	636	- - -	636 - -	632 - -
Stokenchurch	2,800	- - -	2,800 - -	2,800 - -
Stokenham	-	650 - -	650 - -	645 10 11
Stoke Poges	-	3,000 - -	3,000 - -	2,953 13 8
Stoke Prior	1,340	- - -	1,340 - -	1,340 - -
Stoke Rivers	-	360 - -	360 - -	345 12 -
Stokesby-with-Herringby	-	585 - -	585 - -	579 13 11
Stokesley	552	- - -	552 - -	552 - -
Stoke-upon-Trent	8,640	8,752 - -	17,392 - -	17,220 15 6
Stourbridge	2,271	2,375 - -	4,646 - -	4,569 8 11
Stower Provost	-	1,000 - -	1,000 - -	989 19 6
Stowupland	-	900 - -	900 - -	891 3 -
Stranton	4,234	8,734 - -	12,968 - -	12,799 18 11
Stratford, St. Mary	986	- - -	986 - -	986 - -
Stratton	-	875 - -	875 - -	866 4 10
Stratton, St. Margaret	2,000	- - -	2,000 - -	2,000 - -
Street	-	800 - -	800 - -	780 - -
Strumpshaw	-	1,372 - -	1,372 - -	1,281 13 6
Sunderland	13,155	39,279 - -	52,434 - -	51,677 11 -
Sundon	-	740 - -	740 - -	715 2 11
Surlingham	-	299 - -	299 - -	296 3 6
Sutcombe	-	550 - -	550 - -	539 - -
Sutton (Surrey)	500	3,500 - -	4,000 - -	3,940 17 9
Sutton (Chester)	1,451	600 - -	2,051 - -	2,039 - -
Sutton-in-Ashfield	-	4,013 - -	4,013 - -	3,895 - 3
Sutton, St. Mary	-	1,595 - -	1,595 - -	1,542 9 10
Swansea	-	18,205 - -	18,205 - -	17,660 18 3

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Swansea (United District)	2,800	3,477 — —	6,277 — —	6,238 10 2
Swansea, Higher and Lower	1,900	2,861 — —	4,761 — —	4,709 — —
Swanton Abbott	—	400 — —	400 — —	393 9 —
Swardeston	960	— — —	960 — —	960 — —
Swinefleet	—	3,249 — —	3,249 — —	3,191 3 9
Swinton, near Rotherham	4,000	— — —	4,000 — —	4,000 — —
Tadcaster	1,866	2,150 — —	4,016 — —	3,992 17 11
Talgarth	—	2,445 — —	2,445 — —	2,422 12 —
Talland	1,800	— — —	1,800 — —	1,800 — —
Talley	—	850 — —	850 — —	835 19 2
Tallylyn	—	600 — —	600 — —	594 3 2
Tamworth	7,700	— — —	7,700 — —	7,700 — —
Tannington	—	800 — —	800 — —	752 — —
Tedburn, St. Mary	—	1,350 — —	1,350 — —	1,323 — —
Templenewsam	—	4,861 — —	4,861 — —	4,800 18 —
Thakeham	—	999 — —	999 — —	959 — 8
Thorley	—	1,500 — —	1,500 — —	1,469 7 8
Thornaby	—	3,675 — —	3,675 — —	3,535 9 7
Thorne	—	3,200 — —	3,200 — —	3,161 — 1
Thorngumbald	—	1,500 — —	1,500 — —	1,470 — —
Thornley	1,300	3,000 — —	4,300 — —	4,245 13 10
Thornton	—	12,002 — —	12,002 — —	11,762 3 1
Throston	—	2,200 — —	2,200 — —	2,152 12 4
Throwleigh and Gidleigh	100	700 — —	800 — —	792 13 —
Thurleigh	—	803 — —	803 — —	795 4 9
Thurlton	172	1,050 — —	1,222 — —	1,212 3 6
Tibenham	—	1,350 — —	1,350 — —	1,335 8 9
Tilney, St. Lawrence	—	1,172 — —	1,172 — —	1,078 4 8
Tingewick	—	1,000 — —	1,000 — —	940 — —
Tipton	—	8,424 — —	8,424 — —	8,035 9 8
Tiverton	—	1,000 — —	1,000 — —	960 — —
Tivetshall	—	771 — —	771 — —	740 3 2
Todmorden	13,910	4,199 — —	18,109 — —	18,067 12 1
Toft Monks and Haddiscoe	—	290 — —	290 — —	282 11 9
Tolleshunt, Major	752	— — —	752 — —	752 — —
Tong	4,347	— — —	4,347 — —	4,347 — —
Towyn and Pennal	—	400 — —	400 — —	378 11 9
Trefegiwys	—	1,563 — —	1,563 — —	1,503 4 4
Trefeirig	—	1,450 — —	1,450 — —	1,413 18 1
Tregony	1,273	— — —	1,273 — —	1,273 — —
Trelech ar Bettws	900	460 — —	1,360 — —	1,348 2 6
Trelleck	—	900 — —	900 — —	882 — —
Trevethin	—	3,231 — —	3,231 — —	3,174 6 11
Trimley	—	2,100 — —	2,100 — —	2,016 — —
Troedyraur	1,554	831 — —	2,385 — —	2,368 7 7
Tuxford	2,000	— — —	2,000 — —	2,000 — —
Twerton	2,850	— — —	2,850 — —	2,850 — —
Twining	44	250 — —	294 — —	286 19 8
Tynemouth	880	20,796 — —	21,676 — —	21,134 — 9
Tytherington	58	700 — —	758 — —	751 11 4
Udimore	—	1,240 — —	1,240 — —	1,215 4 —
Ufficulme	—	3,813 — —	3,813 — —	3,715 17 10
Ufford	—	796 — —	796 — —	764 16 7
Ugborough	—	1,700 — —	1,700 — —	1,672 8 9
Ulverstone	280	3,000 — —	3,280 — —	3,252 4 8
Unstone	—	3,188 — —	3,188 — —	3,073 1 9
Upper and Nether Broughton	356	1,400 — —	1,756 — —	1,737 13 5
Upwell	6,122	— — —	6,122 — —	6,100 6 5
Vaynor	250	2,545 — —	2,795 — —	2,749 5 6
Verwick	500	— — —	500 — —	500 — —
Wakefield	6,000	3,790 — —	9,790 — —	9,517 16 6
Wakering	565	3,000 — —	3,565 — —	3,534 7 5
Walkington	—	2,000 — —	2,000 — —	1,966 11 7
Wallsend	13,000	10,000 — —	23,000 — —	22,906 9 9
Walsall	—	11,787 — —	11,787 — —	11,365 15 2
Walsoken	4,815	— — —	4,815 — —	4,815 — —
Walterstone	800	— — —	800 — —	800 — —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARD—ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Waltham	-	753 - -	753 - -	722 17 6
Waltham Holy Cross	-	5,900 - -	5,900 - -	5,751 - 6
Walton	2,453	- - -	2,453 - -	2,453 - -
Warley	-	2,300 - -	2,300 - -	2,267 2 -
Warlingham	300	950 - -	1,250 - -	1,193 - -
Warmington	-	900 - -	900 - -	867 2 8
Warnford	686	- - -	686 - -	678 17 2
Waterbeach	800	800 - -	1,600 - -	1,588 7 6
Watlington (Norfolk)	1,554	- - -	1,554 - -	1,554 - -
Watlington (Oxford)	-	2,700 - -	2,700 - -	2,618 9 10
Waverton	-	1,241 - -	1,241 - -	1,166 10 9
Wedmore	2,000	1,000 - -	3,000 - -	2,990 12 11
Wednesfield	-	1,814 - -	1,814 - -	1,777 14 4
Week, St. Mary	-	400 - -	400 - -	392 - -
Welford	-	1,448 - -	1,448 - -	1,433 15 2
Welland	167	866 - -	1,033 - -	1,018 12 2
Wellington (Salop)	-	7,372 - -	7,372 - -	7,099 2 3
Wellington (Somerset)	-	6,880 - -	6,880 - -	6,761 17 6
Wells-next-the-Sea	800	2,490 - -	3,290 - -	3,248 17 8
Wembury	-	1,126 - -	1,126 - -	1,087 17 2
Wendling	-	764 - -	764 - -	742 19 11
Wendron	486	- - -	486 - -	480 - -
Wennington	-	930 - -	930 - -	917 14 -
Wereham	-	900 - -	900 - -	890 14 5
West Ardsley	-	150 - -	150 - -	100 - -
West Beckham	-	3,500 - -	3,500 - -	3,440 16 6
Westbourne	600	680 - -	1,280 - -	1,273 3 8
West Bradley and Lottisham Green	1,450	490 - -	1,940 - -	1,913 6 3
West Bromwich	408	700 - -	1,108 - -	1,101 6 5
West Chickerell	3,627	4,281 - -	7,908 - -	7,834 6 10
Westfield	-	1,874 - -	1,874 - -	1,789 - 8
West Halton	105	1,750 - -	1,855 - -	1,833 15 5
West Ham	-	700 - -	700 - -	692 19 10
Westham	10,880	31,339 - -	42,219 - -	41,408 4 8
Westhorpe	-	550 - -	550 - -	539 - -
Westleigh	487	- - -	487 - -	477 5 2
West Thurrock	-	846 - -	846 - -	837 13 7
West Tilbury	2,600	- - -	2,600 - -	2,600 - -
West Wycombe	-	675 - -	675 - -	661 10 -
Weybourne	-	4,009 - -	4,009 - -	3,898 3 4
Whaplode	655	700 - -	1,355 - -	1,348 1 -
Wheatacre	1,640	- - -	1,640 - -	1,640 - -
Whepstead	1,325	- - -	1,325 - -	1,325 - -
Whickham	-	1,455 - -	1,455 - -	1,418 17 10
Whinbergh and Westfield	-	11,245 - -	11,245 - -	10,948 5 8
Whissonsett	-	900 - -	900 - -	884 19 2
Whitby	400	- - -	400 - -	400 - -
Whitchurch	1,050	- - -	1,050 - -	1,050 - -
White Roothing	-	940 - -	940 - -	924 3 10
Whitley and Eggborough	-	998 - -	998 - -	982 18 10
Whitley	-	1,977 - -	1,977 - -	1,937 9 2
Whitstable and Sea Salter	-	1,441 - -	1,441 - -	1,414 12 4
Whitstone	2,380	3,650 - -	6,030 - -	5,995 4 9
Whittlesey	-	350 - -	350 - -	346 16 6
Whitton	5,498	- - -	5,498 - -	5,498 - -
Whixoe	1,820	- - -	1,820 - -	1,820 - -
Wickhambrook	800	- - -	800 - -	800 - -
Wicklewood	2,200	- - -	2,200 - -	2,200 - -
Widford	1,530	- - -	1,530 - -	1,530 - -
Widnes	-	1,200 - -	1,200 - -	1,178 12 10
Wield	10,206	12,643 - -	22,849 - -	22,724 16 8
Wiggenhall	-	1,000 - -	1,000 - -	990 9 2
Wiggenhall, St. Mary Magdalene	-	2,000 - -	2,000 - -	1,981 - 1
Wigston, Magna	-	1,509 - -	1,509 - -	1,488 4 5
Willand	-	2,932 - -	2,932 - -	2,835 15 8
Willaston	-	751 - -	751 - -	675 17 11
Willenhall and Bentley	-	2,450 - -	2,450 - -	2,305 12 9
Willerby	4,834	- - -	4,834 - -	4,834 - -
	763	- - -	763 - -	763 - -

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
School Boards—England and Wales—*continued.*				
Willesborough	-	2,543 - -	2,543 - -	2,480 8 3
Willingham	850	- - -	850 - -	850 - -
Wilmington	-	231 - -	231 - -	225 4 1
Wilnecote	4,760	- - -	4,760 - -	4,760 - -
Wilsden	-	2,477 - -	2,477 - -	2,452 17 8
Wimbish	-	1,703 - -	1,703 - -	1,673 14 -
Windlesham	-	1,250 - -	1,250 - -	1,199 7 10
Wingate	2,830	1,450 - -	4,280 - -	4,222 - -
Winkleigh	-	1,370 - -	1,370 - -	1,346 5 8
Winlaton	-	5,000 - -	5,000 - -	4,953 2 9
Winterton	600	- - -	600 - -	590 11 10
Wisborough Green	388	1,200 - -	1,588 - -	1,574 6 7
Withypool	425	500 - -	925 - -	920 2 8
Witton-le-Wear	-	2,132 - -	2,132 - -	2,054 5 4
Wiveliscombe	-	3,800 - -	3,800 - -	3,742 6 4
Wivelisfield	-	890 - -	890 - -	876 19 -
Woking	1,574	2,482 - -	4,056 - -	4,006 13 4
Wollaston	-	2,712 - -	2,712 - -	2,620 11 9
Wolstanton	1,988	11,000 - -	12,988 - -	12,886 17 8
Wolverhampton	4,810	19,572 - -	24,382 - -	23,797 13 4
Wolviston	1,456	- - -	1,456 - -	1,456 - -
Wombridge	3,243	- - -	3,243 - -	3,243 - -
Wombwell	-	5,029 - -	5,029 - -	4,896 7 -
Woodford	-	2,992 - -	2,992 - -	2,744 4 8
Woodton	-	1,000 - -	1,000 - -	990 3 3
Woolavington	-	1,000 - -	1,000 - -	960 - -
Woolfardisworthy, Washford, Pyne and Kemerleigh.	1,000	- - -	1,000 - -	1,000 - -
Woolhope	1,000	- - -	1,000 - -	1,000 - -
Woollaston	-	200 - -	200 - -	180 19 -
Woore	-	900 - -	900 - -	882 - -
Wootton	1,081	620 - -	1,701 - -	1,688 12 -
Wootton and Tadley	-	3,175 - -	3,175 - -	3,111 10 -
Worcester	-	8,397 - -	8,397 - -	8,069 11 2
Workington	-	3,549 - -	3,549 - -	3,398 8 10
Worsbrough	1,319	3,000 - -	4,319 - -	4,291 18 1
Worth	-	623 - -	623 - -	601 16 8
Woughton-on-the-Green	-	1,172 - -	1,172 - -	1,148 11 3
Wraysbury	-	1,412 - -	1,412 - -	1,363 11 1
Wrenbury-with-Frith	466	3,943 - -	4,343 - -	4,295 1 8
Wroxham	-	800 - -	800 - -	790 19 8
Wye	1,023	- - -	1,023 - -	1,023 - -
Wymondham	-	7,698 - -	7,698 - -	7,458 5 4
Yelvertoft	-	2,177 - -	2,177 - -	2,138 - 2
Yeovil	-	3,374 - -	3,374 - -	3,291 5 5
Ysbytty Ystwith	1,000	- - -	1,000 - -	1,000 - -
Ystradgynlais, Lower	-	1,296 - -	1,296 - -	1,262 16 -
Ystradfellta	-	605 - -	605 - -	592 18 -
Total £.	1,795,707	6,422,134 - -	8,217,941 - -	8,052,267 17 3
School Boards—Scotland:				
Abbey Paisley (Landward)	9,000	- - -	9,000 - -	9,000 - -
Abdie	-	500 - -	500 - -	459 14 6
Abercorn	2,000	- - -	2,000 - -	2,000 - -
Aberdeen (Burgh)	-	30,000 - -	30,000 - -	29,246 6 3
Aberdour (Aberdeen)	-	1,100 - -	1,100 - -	1,071 10 10
Aberlour	-	600 - -	600 - -	584 7 2
Abernethy	-	1,500 - -	1,500 - -	1,300 - -
Abernethy and Kincardine	600	- - -	600 - -	600 - -
Aboyne (Parish)	-	1,080 - -	1,080 - -	1,051 16 10
Acharacle	120	- - -	120 - -	120 - -
Airdrie	3,000	8,850 - -	11,850 - -	11,613 7 10
Airlie	-	450 - -	450 - -	435 7 5
Airth	-	1,600 - -	1,600 - -	1,532 18 10
Alford	-	600 - -	600 - -	540 - -
Alloa (Burgh)	1,120	3,654 - -	4,774 - -	4,683 5 -
Alness	-	1,050 - -	1,050 - -	1,025 9 3

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
SCHOOL BOARDS—SCOTLAND—*continued.*				
Alva	-	3,500 - -	3,500 - -	3,325 - -
Alves	-	1,250 - -	1,250 - -	1,210 2 1
Alvie	-	200 - -	200 - -	192 3 4
Annan (Parish)	364	331 - -	695 - -	688 1 6
Anstruther, Wester	-	150 - -	150 - -	110 2 2
Anworth	-	350 - -	350 - -	355 7 10
Appleeross	-	1,000 - -	1,000 - -	957 10 -
Applegarth and Sibbaldlie	-	450 - -	450 - -	437 9 1
Arbroath (Burgh)	1,200	9,000 - -	10,200 - -	9,794 13 4
Ardallie	900	500 - -	1,400 - -	1,394 16 11
Ardclach	-	1,200 - -	1,200 - -	1,178 17 7
Ardersier	-	400 - -	400 - -	391 9 8
Ardrossan	-	10,000 - -	10,000 - -	9,691 3 9
Ashkirk	-	700 - -	700 - -	687 19 1
Athelstaneford	600	- - -	600 - -	600 - -
Auchindoir and Kearn	600	700 - -	1,300 - -	1,281 17 10
Auchinleck	-	550 - -	550 - -	531 13 4
Auchterarder	-	2,760 - -	2,760 - -	2,672 4 5
Auchterderran	-	2,000 - -	2,000 - -	1,868 6 8
Auchtergaven	1,300	1,500 - -	2,800 - -	2,740 5 5
Auchterhouse	-	675 - -	675 - -	662 16 1
Auchterless	-	890 - -	890 - -	851 11 -
Auchtermuchty	-	450 - -	450 - -	431 9 9
Auchtertool	-	371 - -	371 - -	360 12 5
Avoch	-	2,320 - -	2,320 - -	983 16 1
Avondale	-	2,000 - -	2,000 - -	1,866 13 4
Ayr (Burgh)	-	7,380 - -	7,380 - -	7,064 8 7
Ayton	-	380 - -	380 - -	346 11 8
Baldernock	-	1,500 - -	1,500 - -	1,464 17 6
Balfron	-	1,960 - -	1,960 - -	1,917 8 9
Ballantrae	430	2,000 - -	2,430 - -	2,376 17 6
Baltingry	-	1,700 - -	1,700 - -	1,552 - -
Balmaclellan	400	- - -	400 - -	400 - -
Balmaghie	700	800 - -	1,500 - -	1,477 2 10
Banchory Ternan	2,000	- - -	2,000 - -	2,000 - -
Banff and Ord	-	900 - -	900 - -	855 - -
Barr	-	250 - -	250 - -	220 - -
Barry	-	300 - -	300 - -	293 9 4
Barvas	500	2,000 - -	2,500 - -	2,460 - -
Beath	2,150	4,831 - -	6,981 - -	6,820 19 8
Beith	-	1,804 - -	1,804 - -	1,693 - 2
Belhelvie	-	1,500 - -	1,500 - -	1,468 2 2
Bendochy	-	1,000 - -	1,000 - -	985 5 9
Benholm	-	800 - -	800 - -	783 5 5
Bervie	-	1,000 - -	1,000 - -	974 6 6
Birnie	-	450 - -	450 - -	437 10 3
Birsay and Harray	-	700 - -	700 - -	686 9 11
Blair Athol	-	250 - -	250 - -	206 5 1
Blairingone	-	200 - -	200 - -	191 18 4
Blantyre	2,000	5,000 - -	7,000 - -	6,566 13 4
Boharm	-	1,150 - -	1,150 - -	1,128 15 2
Bonhill	-	3,800 - -	3,800 - -	3,603 8 6
Borgue	-	425 - -	425 - -	377 10 5
Borrowstounness	1,500	3,500 - -	5,000 - -	4,822 4 5
Bothkennar	-	1,000 - -	1,000 - -	919 2 10
Bothwell	4,000	5,000 - -	9,000 - -	8,829 5 4
Botriphnie	-	1,000 - -	1,000 - -	979 15 2
Bower	-	2,250 - -	2,250 - -	2,179 19 5
Boyndie	2,000	- - -	2,000 - -	2,000 - -
Bracadale	-	600 - -	600 - -	588 9 3
Brechin (Burgh)	750	4,250 - -	5,000 - -	4,922 15 2
Brechin (Landward)	-	1,500 - -	1,500 - -	1,439 4 4
Broughton, Glenholm, and Kilbucho	-	400 - -	400 - -	386 13 4
Broughty Ferry (Town)	600	6,000 - -	6,600 - -	6,247 10 5
Buittle	-	829 - -	829 - -	748 14 3
Burntisland	-	5,500 - -	5,500 - -	5,377 14 9
Cabrach	-	500 - -	500 - -	483 13 10
Cadder	-	8,500 - -	8,500 - -	8,151 7 3
Caddonfoot	-	1,000 - -	1,000 - -	950 8 5

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
School Boards—Scotland—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Cairney	500	800 – –	1,300 – –	1,286 10 10
Calderhead		2,100 – –	2,100 – –	1,900 – –
Callander		1,600 – –	1,600 – –	1,558 2 8
Cambuslang		5,000 – –	5,000 – –	4,863 14 4
Cambusnethan		15,000 – –	15,000 – –	13,918 13 9
Campbeltown (Burgh)		6,500 – –	6,500 – –	6,337 1 4
Campbeltown (Landward)	950	1,300 – –	2,250 – –	2,197 3 11
Campsie		2,500 – –	2,500 – –	2,447 9 9
Canisbay		1,250 – –	1,250 – –	1,218 15 –
Canonbie		1,400 – –	1,400 – –	1,326 10 3
Cardross		3,250 – –	3,250 – –	2,791 13 4
Carluke		7,000 – –	7,000 – –	6,839 11 9
Carmunnock	400	1,500 – –	1,900 – –	1,868 6 11
Carmyllie		1,200 – –	1,200 – –	1,186 16 5
Carnbee		200 – –	200 – –	188 14 4
Carnock		100 – –	100 – –	60 – –
Carnoch	450	– – –	450 – –	450 – –
Carnwath		4,750 – –	4,750 – –	4,446 – –
Castleton	600	2,100 – –	2,700 – –	2,595 – –
Cathcart		7,200 – –	7,200 – –	6,685 14 2
Cavers		2,050 – –	2,050 – –	2,022 11 11
Channelkirk		520 – –	520 – –	488 2 4
Chapel of Garioch	2,500	– – –	2,500 – –	2,425 11 9
Chirnside		400 – –	400 – –	374 18 –
Clackmannan		2,650 – –	2,650 – –	2,422 16 9
Clarkston		5,142 – –	5,142 – –	5,017 8 9
Cluny		400 – –	400 – –	370 4 1
Clynie		400 – –	400 – –	396 3 8
Cockpen		1,000 – –	1,000 – –	954 18 9
Coldingham	375	1,000 – –	1,375 – –	1,333 3 9
Coldstream		2,500 – –	2,500 – –	2,393 7 6
Colinton		2,150 – –	2,150 – –	2,120 4 6
Collace		230 – –	230 – –	226 18 5
Collessie		400 – –	400 – –	378 12 7
Colmonell	800	– – –	800 – –	800 – –
Colvend		1,300 – –	1,300 – –	1,220 5 8
Comrie		400 – –	400 – –	391 2 9
Contin		700 – –	700 – –	540 19 5
Corsturphine	250	550 – –	800 – –	779 8 1
Cortachy and Clova		1,425 – –	1,425 – –	1,395 14 7
Coupar Angus	300	2,300 – –	2,600 – –	2,569 3 6
Craig	380	– – –	380 – –	380 – –
Craigie		1,000 – –	1,000 – –	925 – –
Crawford	200	1,100 – –	1,300 – –	1,177 9 2
Creich		200 – –	200 – –	189 4 3
Creich (Sutherland)	1,800	– – –	1,800 – –	1,800 – –
Crichton		160 – –	160 – –	148 5 –
Crieff and West Crieff		1,400 – –	1,400 – –	1,313 17 5
Crimond		500 – –	500 – –	486 16 4
Cromarty		1,500 – –	1,500 – –	1,474 3 10
Cromdale		2,424 – –	2,424 – –	2,297 11 7
Crosshill		1,300 – –	1,300 – –	1,266 2 3
Crossmichael		2,100 – –	2,100 – –	1,971 – 4
Croy and Dalcross		1,120 – –	1,120 – –	1,057 13 1
Cruden		2,000 – –	2,000 – –	1,969 4 9
Cullen		2,000 – –	2,000 – –	1,965 17 9
Culsamond	300	400 – –	700 – –	690 15 1
Cults		1,000 – –	1,000 – –	982 13 10
Cumbernauld	500	3,000 – –	3,500 – –	3,425 7 5
Cumbrae	600	800 – –	1,400 – –	1,354 – –
Cumlodden		200 – –	200 – –	194 5 5
Cummertrees	1,200	– – –	1,200 – –	1,200 – –
Cupar (Parish)		422 – –	422 – –	379 16 –
Currie	2,000	600 – –	2,600 – –	2,567 1 –
Dailly	1,600	– – –	1,600 – –	1,600 – –
Dalgety		2,350 – –	2,350 – –	2,260 13 2
Dalkeith		5,000 – –	5,000 – –	4,931 14 5
Dalkeith (Parish)	230	– – –	230 – –	230 – –
Dallas	1,600	– – –	1,600 – –	1,600 – –

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
School Boards—Scotland—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Dalmellington	300	2,700 — —	3,000 — —	2,808 16 5
Dalmeny	-	1,750 — —	1,750 — —	1,642 10 3
Dalry	3,000	- - -	3,000 — —	2,934 7 11
Dalrymple	-	1,240 — —	1,240 — —	1,222 7 —
Dalziel	-	6,500 — —	6,500 — —	6,316 19 2
Daviot	-	500 — —	500 — —	483 17 10
Daviot and Dunlichity	300	600 — —	900 — —	886 19 10
Delting	900	- - -	900 — —	900 — —
Denny (Parish)	500	6,000 — —	6,500 — —	6,347 6 8
Deskford	-	1,000 — —	1,000 — —	983 7 10
Dingwall	-	300 — —	300 — —	288 — —
Dirleton	450	- - -	450 — —	450 — —
Dolphinton	-	320 — —	320 — —	313 4 4
Dores	1,490	- - -	1,490 — —	1,490 — —
Douglas	-	2,000 — —	2,000 — —	1,918 13 2
Drainie	-	3,160 — —	3,160 — —	3,123 8 10
Dreghorn	-	3,150 — —	3,150 — —	2,860 3 4
Drumblade	-	135 — —	135 — —	121 10 —
Dryfesdale	400	3,200 — —	3,600 — —	3,524 7 6
Drymen	500	- - -	500 — —	500 — —
Duffus	440	2,200 — —	2,640 — —	2,470 — —
Duirinish	-	1,250 — —	1,250 — —	1,235 15 10
Dumbarton (Burgh)	-	5,260 — —	5,260 — —	4,686 8 9
Dumfries (Burgh)	-	5,700 — —	5,700 — —	5,510 — —
Dumfries (Landward)	-	2,500 — —	2,500 — —	2,405 19 11
Dun	-	300 — —	300 — —	293 7 —
Dunbar	900	- - -	900 — —	869 12 4
Dunbarney	-	1,500 — —	1,500 — —	1,441 15 6
Dunblane	-	3,100 — —	3,100 — —	3,013 16 7
Dundee	20,000	40,000 — —	60,000 — —	58,489 19 9
Dundonald	-	3,380 — —	3,380 — —	3,267 6 8
Dunfermline (Burgh)	-	3,648 — —	3,648 — —	3,471 10 2
Dunfermline (Parish)	1,100	10,000 — —	11,100 — —	10,880 — —
Dunino	150	- - -	150 — —	150 — —
Dunipace	-	2,830 — —	2,830 — —	2,728 11 2
Dunlop	-	2,000 — —	2,000 — —	1,918 7 3
Dunnichen	-	1,250 — —	1,250 — —	1,173 6 8
Dunnottar	500	1,000 — —	1,500 — —	1,452 10 6
Dunoon and Kilmun	-	15,000 — —	15,000 — —	14,492 4 6
Dunscore	250	750 — —	1,000 — —	971 7 —
Dunse	525	- - -	525 — —	525 — —
Durris	-	1,600 — —	1,600 — —	1,580 5 8
Duthill and Rothiemurchus	400	1,000 — —	1,400 — —	1,378 15 4
Dyce	750	- - -	750 — —	950 — —
Dyke	1,700	- - -	1,700 — —	1,671 8 1
Dysart (Burgh)	-	2,100 — —	2,100 — —	1,918 6 8
Earlston	200	1,500 — —	1,700 — —	1,678 18 10
Eassie and Nevay	-	660 — —	660 — —	642 7 11
East Kilbride	-	700 — —	700 — —	692 17 7
Eastwood	-	8,200 — —	8,200 — —	7,875 8 1
Eckford	700	- - -	700 — —	700 — —
Edderton	300	- - -	300 — —	300 — —
Edgerton	-	750 — —	750 — —	660 — —
Edinburgh	35,000	70,000 — —	105,000 — —	102,094 15 9
Edinkillie	1,000	- - -	1,000 — —	1,000 — —
Ednam	-	300 — —	300 — —	282 16 10
Edrom	500	- - -	500 — —	500 — —
Edzell	-	640 — —	640 — —	618 13 8
Elgin (Burgh)	-	1,900 — —	1,900 — —	1,822 16 5
Elgin (Landward)	-	2,000 — —	2,000 — —	1,874 0 11
Ellon	-	1,850 — —	1,850 — —	1,821 — 7
Enzie	-	1,300 — —	1,300 — —	1,283 14 3
Errol	2,000	- - -	2,000 — —	2,000 — —
Erskine	-	1,800 — —	1,800 — —	1,742 13 11
Eskdalemuir	-	250 — —	250 — —	225 — —
Ewes	400	800 — —	1,200 — —	1,102 12 8
Eyemouth	-	2,400 — —	2,400 — —	2,376 17 3
Fala and Soutra	-	800 — —	800 — —	783 — 2
Falkirk (Burgh)	-	3,130 — —	3,130 — —	2,921 6 8

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
SCHOOL BOARDS—SCOTLAND—*continued.*				
Falkirk (Parish)	1,450	6,650 — —	8,100 — —	7,929 19 2
Falkland (Parish)	—	1,600 — —	1,600 — —	1,514 4 1
Farnell	650	— — —	650 — —	650 — —
Fearn	—	1,500 — —	1,500 — —	1,484 19 4
Fenwick	—	800 — —	800 — —	720 — —
Ferry-port-on-Craig	—	2,300 — —	2,300 — —	2,125 13 9
Fettercairn	—	350 — —	350 — —	328 11 4
Fetteresso and Rickarton	—	6,000 — —	6,000 — —	5,849 11 2
Findo Gask	—	240 — —	240 — —	222 4 2
Fintray	—	1,620 — —	1,620 — —	1,566 17 —
Fintry	—	700 — —	700 — —	668 16 8
Flisk	—	240 — —	240 — —	231 9 8
Fodderty	—	456 — —	456 — —	449 6 8
Fordyce	—	3,000 — —	3,000 — —	2,955 5 10
Forfar (Burgh)	—	5,225 — —	5,225 — —	5,010 13 8
Forfar (Landward)	—	500 — —	500 — —	459 1 2
Forgan	—	300 — —	300 — —	277 19 7
Forgandenny	—	120 — —	120 — —	110 3 3
Forglen	—	908 — —	908 — —	872 12 —
Forgue	350	1,000 — —	1,350 — —	1,328 17 11
Forres (Burgh)	—	4,350 — —	4,350 — —	4,289 6 11
Forres (Parish)	577	— — —	577 — —	577 — —
Forteviot	—	200 — —	200 — —	191 14 4
Fossoway and Tulliebole	250	700 — —	950 — —	932 10 —
Foveran	—	750 — —	750 — —	702 1 7
Friockheim	—	900 — —	900 — —	884 6 8
Fyvie	—	3,100 — —	3,100 — —	3,014 2 10
Gairloch	—	3,200 — —	3,200 — —	3,133 — 7
Galashiels (Burgh)	—	4,250 — —	4,250 — —	3,908 6 8
Galashiels (Parish)	—	970 — —	970 — —	931 4 —
Galston	—	2,200 — —	2,200 — —	1,980 — —
Gamrie	1,100	2,840 — —	3,940 — —	3,849 3 1
Garguunock	—	330 — —	330 — —	322 16 10
Gartly	—	500 — —	500 — —	479 5 10
Girvan (Town)	—	3,000 — —	3,000 — —	2,949 14 5
Girvan (Landward)	—	1,800 — —	1,800 — —	1,767 6 1
Glamis	—	1,600 — —	1,600 — —	1,548 13 6
Glasgow (Burgh)	100,000	200,800 — —	300,800 — —	290,736 — —
Glass	—	950 — —	950 — —	933 18 7
Glassary	—	1,500 — —	1,500 — —	1,468 6 11
Glasserton	—	570 — —	570 — —	552 — 7
Glenbervie	—	700 — —	700 — —	685 1 3
Glenbucket	—	220 — —	220 — —	197 4 —
Glencorse	—	530 — —	530 — —	508 — 11
Glenelg	1,000	— — —	1,000 — —	1,000 — —
Glengairn	130	220 — —	350 — —	348 — 1
Glenisla	—	155 — —	155 — —	146 14 —
Glenmuich and Tullich	2,000	— — —	2,000 — —	2,000 — —
Glenshiel	400	— — —	400 — —	400 — —
Golspie	—	575 — —	575 — —	569 6 10
Gourock	2,500	2,500 — —	5,000 — —	4,943 13 —
Govan (Parish)	9,000	43,000 — —	52,000 — —	49,255 — —
Grange	800	1,000 — —	1,800 — —	1,779 17 8
Grangemouth	—	2,545 — —	2,545 — —	2,431 17 6
Greenlaw	1,470	— — —	1,470 — —	1,470 — —
Greenock (Burgh)	—	50,000 — —	50,000 — —	48,887 16 11
Greenock, East (Parish)	2,678	— — —	2,678 — —	2,678 — —
Gretna	—	1,750 — —	1,750 — —	1,679 7 4
Haddington (Landward)	—	1,000 — —	1,000 — —	850 — —
Halfmorton	—	430 — —	430 — —	418 18 2
Halkirk	—	1,700 — —	1,700 — —	1,664 19 4
Hamilton (Burgh)	—	5,000 — —	5,000 — —	4,806 10 1
Hamilton (Parish)	8,175	10,000 — —	18,175 — —	17,970 3 2
Harris	5,000	— — —	5,000 — —	5,000 — —
Hawick (Burgh)	2,162	6,500 — —	8,662 — —	8,492 11 5
Heriot	—	187 — —	187 — —	178 2 4
Hoddam	—	1,300 — —	1,300 — —	1,260 16 6
Holm	—	340 — —	340 — —	333 4 —
Houston and Killallan	953	3,500 — —	4,453 — —	4,415 18 2

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—SCOTLAND—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Hoy and Graemsay	100	- - -	100 - -	100 - -
Humbie	1,400	- - -	1,400 - -	1,400 - -
Inchture	250	- - -	250 - -	250 - -
Innerleithen	- -	600 - -	600 - -	540 - -
Insch	- -	400 - -	400 - -	383 8 8
Inverarity	300	700 - -	1,000 - -	947 14 -
Inverkeithing	- -	1,800 - -	1,800 - -	1,701 16 -
Inverkeithny	- -	200 - -	200 - -	185 1 8
Inverness (Burgh)	- -	5,500 - -	5,500 - -	5,326 - 10
Inverness (Landward)	- -	2,000 - -	2,000 - -	1,800 - -
Irongray	- -	430 - -	430 - -	387 - -
Irvine (Burgh)	- -	4,500 - -	4,500 - -	4,275 - -
Jedburgh (Burgh)	- -	339 - -	339 - -	325 1 10
Jedburgh (Parish)	- -	1,000 - -	1,000 - -	900 - -
Keig	- -	350 - -	350 - -	314 15 -
Keiss (Parish)	- -	1,000 - -	1,900 - -	1,824 - -
Keith (Parish)	- -	3,450 - -	3,450 - -	3,313 16 11
Kiethball and Kinkell	- -	900 - -	900 - -	865 16 2
Kelton	- -	2,900 - -	2,900 - -	2,751 6 8
Kemback	- -	600 - -	600 - -	558 - -
Kemnay	- -	450 - -	450 - -	412 17 5
Kennethmont	- -	800 - -	800 - -	782 - 11
Kennoway	- -	760 - -	760 - -	735 6 4
Kettins	- -	1,350 - -	1,350 - -	1,286 14 3
Kettle	- -	2,800 - -	2,800 - -	2,590 - -
Kilbarchan	2,000	3,000 - -	5,000 - -	4,959 6 5
Kilbirnie	- -	750 - -	750 - -	719 13 7
Kilbride	1,000	1,500 - -	2,500 - -	2,433 6 8
Kilcalmonell and Kilberry	400	- - -	400 - -	400 - -
Kilconquhar	- -	1,050 - -	1,050 - -	1,007 - 7
Kildalton	- -	600 - -	600 - -	570 - -
Kildrummy	- -	200 - -	200 - -	177 11 1
Kilfinan	- -	1,500 - -	1,500 - -	1,204 4 2
Kilfinichen and Kilvickeon	1,300	- - -	1,300 - -	1,300 - -
Killarrow and Kilmeny	- -	800 - -	800 - -	778 17 5
Killean and Kilchenzie	- -	480 - -	480 - -	467 14 4
Killearn	- -	1,550 - -	1,550 - -	1,484 18 -
Killearnan	500	- - -	500 - -	500 - -
Kilmalcolm	- -	1,772 - -	1,772 - -	1,630 4 8
Kilmallie	2,263	- - -	2,263 - -	2,263 - -
Kilmarnock (Burgh)	- -	11,000 - -	11,000 - -	10,525 - -
Kilmarnock (Parish)	- -	5,000 - -	5,000 - -	4,666 13 4
Kilmaronock	- -	800 - -	800 - -	782 11 8
Kilmaurs	- -	3,200 - -	3,200 - -	2,995 1 4
Kilmodan	- -	600 - -	600 - -	584 17 11
Kilmorack	- -	2,500 - -	2,500 - -	2,448 4 1
Kilmory	1,000	2,500 - -	3,500 - -	3,312 10 -
Kilmuir	800	- - -	800 - -	800 - -
Kilmuir Easter	- -	1,379 - -	1,379 - -	1,365 14 1
Kilninver and Kilmelford	- -	294 - -	294 - -	288 2 4
Kilrenny	1,400	- - -	1,400 - -	1,400 - -
Kilspindie	95	- - -	95 - -	95 - -
Kilsyth (Burgh)	- -	5,500 - -	5,500 - -	5,376 17 1
Kilsyth (Parish)	- -	1,200 - -	1,200 - -	1,154 5 2
Kiltarlity	- -	1,000 - -	1,000 - -	979 1 9
Kilwinning	600	7,500 - -	8,100 - -	7,938 11 6
Kincardine (Perth)	- -	280 - -	280 - -	248 13 1
Kincardine (Ross)	- -	1,400 - -	1,400 - -	1,372 - -
Kincardine O'Neil	190	464 - -	654 - -	625 5 -
Kinfauns	94	- - -	94 - -	94 - -
Kingarth	120	710 - -	830 - -	801 5 7
King Edward	- -	684 - -	684 - -	666 18 -
Kinghorn	- -	3,000 - -	3,000 - -	2,947 6 1
Kingoldrum	- -	700 - -	700 - -	684 2 11
Kingussie	- -	1,400 - -	1,400 - -	1,354 15 3
Kinloch-luichart	- -	300 - -	300 - -	293 1 3
Kinloss	1,200	- - -	1,200 - -	1,200 - -
Kinnaird	162	- - -	162 - -	162 - -
Kinnoull	750	1,000 - -	1,750 - -	1,724 16 7

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
School Boards—Scotland—*continued.*				
Kinross	200	1,000 – –	1,200 – –	1,138 14 7
Kintore	–	2,050 – –	2,050 – –	1,981 6 4
Kippen	–	3,200 – –	3,200 – –	3,130 9 6
Kirkcaldy (Burgh)	1,600	10,000 – –	11,600 – –	11,393 11 3
Kirkcaldy (Parish)	–	850 – –	850 – –	—
Kirkden	–	440 – –	440 – –	410 13 4
Kirkgunzeon	–	275 – –	275 – –	233 15 –
Kirkhill	–	600 – –	600 – –	575 – 7
Kirkhope	–	125 – –	125 – –	117 6 2
Kirkintilloch (Landward)	–	2,000 – –	2,000 – –	1,917 7 –
Kirkintilloch (Town)	–	3,500 – –	3,500 – –	3,435 9 7
Kirkmabreck	–	220 – –	220 – –	205 6 8
Kirkmahoe	–	654 – –	654 – –	613 6 9
Kirkmaiden	500	4,200 – –	4,700 – –	4,625 10 3
Kirkmichael	–	1,360 – –	1,360 – –	1,323 6 7
Kirkoswald	–	1,300 – –	1,300 – –	1,267 13 2
Kirkpatrick-Fleming	–	1,100 – –	1,100 – –	1,055 12 1
Kirriemuir	400	5,000 – –	5,400 – –	5,253 12 7
Knockando	–	1,300 – –	1,300 – –	1,213 6 8
Knockbain	–	1,065 – –	1,065 – –	1,042 16 –
Ladykirk	–	240 – –	240 – –	224 – –
Lanark (Parish)	300	750 – –	1,050 – –	1,006 15 –
Langholm	2,600	800 – –	3,400 – –	3,350 11 9
Langton	–	921 – –	921 – –	882 12 3
Larbert	700	1,100 – –	1,800 – –	1,732 8 1
Largoward	200	600 – –	800 – –	773 18 –
Largs	–	300 – –	300 – –	247 13 2
Larkhall	5,150	– – –	5,150 – –	5,150 – –
Lasswade	–	4,200 – –	4,200 – –	3,856 10 4
Latheron	4,000	6,000 – –	10,000 – –	9,830 – –
Lauder	–	1,600 – –	1,600 – –	1,526 7 8
Laurencekirk	200	2,660 – –	2,860 – –	2,774 6 3
Legerwood (Parish)	–	500 – –	500 – –	487 4 3
Leith (Burgh)	–	35,000 – –	35,000 – –	32,551 6 6
Leochel-Cushnie	200	2,000 – –	2,200 – –	2,175 6 7
Lerwick and Gulberwick	–	500 – –	500 – –	489 7 2
Leslie	3,000	– – –	3,000 – –	3,000 – –
Lesmahagow	–	8,000 – –	8,000 – –	7,572 19 11
Leswalt	–	1,100 – –	1,100 – –	1,054 16 5
Lethnot and Navar	–	350 – –	350 – –	342 10 2
Leuchars	–	927 – –	927 – –	838 10 8
Liberton	–	1,350 – –	1,350 – –	1,248 19 11
Liff, Benvie, and Invergowrie	200	1,105 – –	1,305 – –	1,249 7 6
Linlithgow (Burgh)	290	1,500 – –	1,790 – –	1,729 8 7
Linlithgow (Landward)	–	1,325 – –	1,325 – –	1,296 18 2
Little Dunkeld	–	850 – –	850 – –	830 15 1
Livingstone	–	2,050 – –	2,050 – –	2,005 16 6
Lochalsh	–	1,000 – –	1,000 – –	982 17 10
Lochbroom	–	1,100 – –	1,100 – –	1,088 19 6
Lochcarron	–	700 – –	700 – –	660 – –
Lochgelly	–	2,300 – –	2,300 – –	2,250 11 –
Lochgilphead	400	1,050 – –	1,450 – –	1,423 15 –
Lochgoilhead and Kilmorich	400	220 – –	620 – –	598 – –
Lochmaben	–	2,800 – –	2,800 – –	2,691 8 5
Lochs	3,000	2,000 – –	5,000 – –	4,959 3 8
Lochwinnoch	–	1,000 – –	1,000 – –	977 13 –
Logie	–	4,500 – –	4,500 – –	4,275 19 3
Logie Buchan	–	700 – –	700 – –	693 10 5
Logie Coldstone	–	400 – –	400 – –	394 19 10
Logie Pert	–	505 – –	505 – –	505 5 –
Longforgan	–	3,000 – –	3,000 – –	2,833 9 7
Longside	–	1,630 – –	1,630 – –	1,559 – –
Lonmay	–	2,600 – –	2,600 – –	2,555 10 6
Loudoun	–	3,000 – –	3,000 – –	2,878 8 9
Lumphanan	1,300	– – –	1,300 – –	1,300 – –
Manor (Parish)	–	200 – –	200 – –	185 – 10
Markinch	–	4,500 – –	4,500 – –	4,416 10 2
Marnoch	–	2,032 – –	2,032 – –	1,985 10 7
Maryculter	–	1,000 – –	1,000 – –	982 – –

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877–78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
SCHOOL BOARDS—SCOTLAND—*continued.*				
Murykill	3,590	2,600 – –	6,190 – –	6,041 8 4
Marykirk	1,700	– – –	1,700 – –	1,700 – –
Maryton	525	– – –	525 – –	525 – –
Maybole	– –	7,000 – –	7,000 – –	6,927 16 7
Meigle	400	2,000 – –	2,400 – –	2,379 15 3
Meldrum	500	3,500 – –	4,000 – –	3,944 3 7
Melrose	900	10,000 – –	10,900 – –	10,668 2 10
Menmuir	– –	350 – –	350 – –	328 8 6
Methlic	– –	1,200 – –	1,200 – –	1,188 8 8
Millbrex	– –	800 – –	800 – –	785 18 4
Minnigaff	– –	1,135 – –	1,135 – –	1,100 9 6
Mochrum	1,200	2,000 – –	3,200 – –	3,170 7 9
Moffat	1,400	– – –	1,400 – –	1,400 – –
Monifieth	– –	800 – –	800 – –	731 8 6
Monikie	– –	1,000 – –	1,000 – –	968 6 7
Monkton and Prestwick	523	– – –	523 – –	523 – –
Monquhitter	– –	1,200 – –	1,200 – –	1,169 11 –
Montrose	– –	3,250 – –	3,250 – –	3,141 13 4
Monymusk	– –	560 – –	560 – –	533 2 –
Mordington	– –	400 – –	400 – –	390 5 1
Morham	– –	640 – –	640 – –	629 6 –
Mortlach	– –	1,200 – –	1,200 – –	1,172 9 11
Moulin	500	2,000 – –	2,500 – –	2,463 17 3
Mouswald	– –	210 – –	210 – –	184 16 –
Moy and Dalarossie	200	600 – –	800 – –	721 7 7
Muckart	150	300 – –	450 – –	441 18 2
Muiravonside	2,700	– – –	2,700 – –	2,700 – –
Muirkirk	– –	900 – –	900 – –	878 13 7
Murroes	– –	1,800 – –	1,800 – –	1,753 19 5
Musselburgh	– –	1,600 – –	1,600 – –	1,534 13 9
Muthill	453	540 – –	993 – –	970 9 6
Nairn (Burgh)	– –	3,423 – –	3,423 – –	3,362 1 3
Nairn (Landward)	– –	1,990 – –	1,990 – –	1,948 4 7
Neilston (Parish)	– –	5,468 – –	5,468 – –	5,292 18 11
Nesting, Lunnasting, Whalsay, and Skerries	– –	1,065 – –	1,065 – –	1,053 12 3
New Abbey	– –	1,350 – –	1,350 – –	1,313 – 5
Newburgh	– –	650 – –	650 – –	609 12 1
New Byth	– –	1,700 – –	1,700 – –	1,669 11 5
New Cumnock	– –	4,000 – –	4,000 – –	3,733 6 8
New Deer	1,000	3,000 – –	4,000 – –	3,884 18 –
Newhills	1,000	4,000 – –	5,000 – –	4,940 8 9
Newlands	– –	1,000 – –	1,000 – –	977 1 6
New Luce	420	– – –	420 – –	420 – –
New Machar	900	1,010 – –	1,910 – –	1,864 13 3
New Monkland	– –	5,174 – –	5,174 – –	4,960 4 9
New or East Kilpatrick	– –	3,500 – –	3,500 – –	3,282 5 3
New Pitsligo	450	2,000 – –	2,450 – –	2,416 9 7
New Spynie	500	– – –	500 – –	500 – –
Newtyle	– –	1,000 – –	1,000 – –	951 15 2
Nigg	1,900	– – –	1,900 – –	1,900 – –
Nigg (Ross)	980	– – –	980 – –	980 – –
North Berwick	– –	2,500 – –	2,500 – –	2,357 – –
North Bute, and Rothesaye	– –	1,835 – –	1,835 – –	1,771 12 6
Northmavine	1,000	– – –	1,000 – –	989 9 11
North Uist	500	2,000 – –	2,500 – –	2,477 13 1
Oathlaw	– –	450 – –	450 – –	390 – –
Oban	– –	3,300 – –	3,300 – –	3,218 – –
Ochiltree	– –	1,250 – –	1,250 – –	1,218 8 1
Old Cumnock	– –	4,000 – –	4,000 – –	3,800 – –
Old Deer	1,225	– – –	1,225 – –	1,225 – –
Oldhamstocks	300	300 – –	600 – –	500 – –
Old Luce	– –	2,625 – –	2,625 – –	2,599 8 1
Old Machar	– –	9,000 – –	9,000 – –	8,784 5 11
Old Monkland	– –	6,000 – –	6,000 – –	5,650 8 1
Old or West Kilpatrick	1,500	9,000 – –	10,500 – –	10,349 12 5
Olrig	– –	1,500 – –	1,500 – –	1,486 7 10
Ordiquhill	– –	150 – –	150 – –	137 1 8
Orwell	– –	400 – –	400 – –	383 15 9
Oxnam	– –	200 – –	200 – –	177 16 5

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
SCHOOL BOARDS—SCOTLAND—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Paisley (Burgh)	5,000	30,000 – –	35,000 – –	34,509 13 6
Peebles	–	2,550 – –	2,550 – –	2,359 12 4
Penicuick	–	1,580 – –	1,580 – –	1,523 13 10
Penninghame	–	1,650 – –	1,650 – –	1,622 4 10
Perth (Burgh)	–	11,270 – –	11,270 – –	10,847 7 10
Peterculter	–	1,050 – –	1,050 – –	999 2 7
Peterhead (Burgh)	2,500	– – –	2,500 – –	2,500 – –
Peterhead (Parish)	–	2,700 – –	2,700 – –	2,667 19 9
Petty	–	1,000 – –	1,000 – –	933 6 8
Pitsligo (Parish)	–	830 – –	830 – –	808 7 1
Polmont	–	3,000 – –	3,000 – –	2,850 – –
Port Glasgow (Burgh)	–	3,600 – –	3,600 – –	3,550 3 –
Portobello	–	6,600 – –	6,600 – –	6,441 16 4
Port of Monteith	–	250 – –	250 – –	225 – –
Portpatrick	–	600 – –	600 – –	577 3 5
Portree	–	2,500 – –	2,500 – –	2,457 5 8
Premnay	–	1,000 – –	1,000 – –	959 9 10
Rafford	195	900 – –	1,095 – –	1,083 3 10
Rathven	–	6,600 – –	6,600 – –	6,487 15 2
Rattray	–	800 – –	800 – –	774 10 11
Rayne	1,500	– – –	1,500 – –	1,500 – –
Reay	–	2,800 – –	2,800 – –	2,762 6 8
Redgorton	700	– – –	700 – –	700 – –
Renfrew (Landward)	800	4,000 – –	4,800 – –	4,744 12 3
Rerrick	–	1,920 – –	1,920 – –	1,813 15 11
Resolis	–	1,000 – –	1,000 – –	990 7 3
Rhynie	1,000	– – –	1,000 – –	1,000 – –
Roberton	–	900 – –	900 – –	826 7 11
Rosemarkie	–	550 – –	550 – –	537 11 –
Rosskeen	–	2,900 – –	2,900 – –	2,850 7 11
Rothes	–	3,000 – –	3,000 – –	2,934 10 3
Rothesay (Burgh)	–	3,000 – –	3,000 – –	2,936 13 11
Rothiemay	–	800 – –	800 – –	778 5 4
Rousay and Egilshay	–	400 – –	400 – –	395 5 3
Row	3,850	1,400 – –	5,250 – –	5,110 – –
Rutherglen (Burgh)	–	5,400 – –	5,400 – –	5,144 9 3
Ruthergien (Parish)	–	1,000 – –	1,000 – –	925 – 4
Saddell and Skipness	–	1,250 – –	1,250 – –	1,218 15 –
St. Andrew's and Deerness	–	400 – –	400 – –	393 4 9
St. Andrew's	–	800 – –	800 – –	750 – –
St. Andrew's and St. Leonard's	–	230 – –	230 – –	184 – –
St. Andrew's, Lhanbryd	–	1,700 – –	1,700 – –	1,617 5 –
St. Cuthbert and Dean, extra Burghal	950	2,000 – –	2,950 – –	2,905 13 9
St. Fergus	400	1,400 – –	1,800 – –	1,770 18 2
St. Martin's	750	– – –	750 – –	750 – –
St. Mungo	350	– – –	350 – –	350 – –
St. Ninian's	–	8,800 – –	8,800 – –	8,514 11 4
St. Vigeans	–	1,300 – –	1,300 – –	1,258 10 2
Salen	–	300 – –	300 – –	290 – –
Saline (Parish)	–	1,400 – –	1,400 – –	1,343 6 2
Salton	–	110 – –	110 – –	104 – 4
Sandsting and Aithsting	500	1,000 – –	1,500 – –	1,489 19 6
Sandwick	500	– – –	500 – –	500 – –
Scone	–	2,200 – –	2,200 – –	2,155 2 –
Selkirk (Burgh)	–	3,050 – –	3,050 – –	2,924 11 10
Selkirk (Landward)	–	1,100 – –	1,100 – –	1,054 17 7
Shettleston	550	4,000 – –	4,550 – –	4,478 3 9
Shotts	–	7,227 – –	7,227 – –	6,643 7 1
Slains	–	1,200 – –	1,200 – –	1,181 12 4
Slamannan	500	4,500 – –	5,000 – –	4,775 – –
Sleat	2,100	– – –	2,100 – –	2,043 2 2
Small Isles	–	150 – –	150 – –	144 1 –
Snizort	–	1,100 – –	1,100 – –	1,089 1 7
Sorbie	–	950 – –	950 – –	923 1 9
Sorn	–	450 – –	450 – –	422 8 1
Southend (Argyll)	1,500	– – –	1,500 – –	1,500 – –
South Ronaldshay and Burray	–	1,000 – –	1,000 – –	982 15 1
Speymouth	–	1,650 – –	1,650 – –	1,608 2 9
Spott	–	500 – –	500 – –	487 5 10

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	TOTAL Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
SCHOOL BOARDS—SCOTLAND—*continued.*				
Springburn	-	4,300 - -	4,300 - -	4,190 9 6
Springfield	-	700 - -	700 - -	658 - -
Steinscholl	800	- - -	800 - -	800 - -
Stevenston	-	5,500 - -	5,500 - -	5,287 10 -
Stewarton (Parish)	-	5,050 - -	5,050 - -	4,855 6 -
Stirling (Burgh)	-	4,200 - -	4,200 - -	3,991 - 8
Stobhill	125	1,000 - -	1,125 - -	1,084 3 8
Stoneykirk	800	1,800 - -	2,600 - -	2,547 16 8
Stornoway	3,000	2,000 - -	5,000 - -	4,960 - -
Stow	3,200	- - -	3,200 - -	3,200 - -
Strachan	-	850 - -	850 - -	841 8 7
Straiton	1,000	1,200 - -	2,200 - -	2,170 - -
Stranraer	-	650 - -	650 - -	636 5 7
Strath	-	2,600 - -	2,600 - -	2,558 14 8
Strathblane	-	1,150 - -	1,150 - -	1,080 17 6
Strathdon	300	- - -	300 - -	300 - -
Strathmiglo	1,000	- - -	1,000 - -	1,000 - -
Strichen	-	500 - -	500 - -	472 7 11
Stromness	-	600 - -	600 - -	584 14 9
Swinton	-	1,700 - -	1,700 - -	1,675 9 7
Symington	1,100	- - -	1,100 - -	1,056 18 4
Tannadice	-	500 - -	500 - -	489 10 11
Tarbat	-	1,100 - -	1,100 - -	1,089 10 1
Tarbert	-	800 - -	800 - -	767 11 7
Tarbolton	-	2,500 - -	2,500 - -	2,333 6 8
Tarves	-	800 - -	800 - -	763 10 2
Tealing	-	944 - -	944 - -	920 10 4
Temple	-	500 - -	500 - -	458 6 9
Terregles	-	219 - -	219 - -	209 15 6
Thurso	-	1,420 - -	1,420 - -	1,381 17 1
Tillicoultry	-	1,500 - -	1,500 - -	1,428 13 4
Tingwall, Whiteness, and Weisdale	-	1,200 - -	1,200 - -	1,187 10 2
Tinwald	-	150 - -	150 - -	137 15 6
Torbichen	-	1,000 - -	1,000 - -	978 4 6
Torryburn	-	220 - -	220 - -	208 5 2
Torthorwald	-	920 - -	920 - -	874 - -
Tough	350	- - -	350 - -	350 - -
Towie	-	750 - -	750 - -	738 - 7
Tranent	-	6,200 - -	6,200 - -	6,122 19 3
Trinity Gask	-	170 - -	170 - -	163 3 6
Troqueer	-	3,400 - -	3,400 - -	3,290 14 7
Trossacks	-	1,000 - -	1,000 - -	960 - -
Tullnessle and Forbes	300	- - -	300 - -	300 - -
Turriff	3,000	- - -	3,000 - -	3,000 - -
Twnholm	1,000	- - -	1,000 - -	1,000 - -
Tyree	-	650 - -	650 - -	637 - -
Tyrie	250	- - -	250 - -	250 - -
Udney	-	250 - -	250 - -	239 14 10
Uig	1,500	2,000 - -	3,500 - -	3,442 17 1
Urquhart (Elgin)	-	815 - -	815 - -	700 - 1
Urquhart and Glenmoriston	-	3,500 - -	3,500 - -	3,430 - -
Urquhart (Ross)	-	1,800 - -	1,800 - -	1,742 17 6
Urr	-	3,335 - -	3,335 - -	3,180 1 8
Urray	400	- - -	400 - -	400 - -
Walls and Flotta	-	350 - -	350 - -	345 16 4
Watten	-	1,400 - -	1,400 - -	1,344 - -
Wemyss	-	1,680 - -	1,680 - -	1,626 6 8
West Calder	-	2,000 - -	2,000 - -	1,924 - 10
West Kilbride	-	2,150 - -	2,150 - -	2,119 19 6
West Linton	-	320 - -	320 - -	313 4 4
Westray and Papa Westray	1,000	- - -	1,000 - -	1,000 - -
Westruther	-	500 - -	500 - -	444 8 1
Wick and Pulteneytown	-	2,500 - -	2,500 - -	2,400 - -
Wick (Parish)	-	8,000 - -	8,000 - -	7,720 - -
Wilton	-	260 - -	260 - -	245 19 6
Yarrow	500	- - -	500 - -	500 - -
Ythan Wells	-	1,500 - -	1,500 - -	1,461 6 11
TOTAL £.	380,919	1,571,538 - -	1,952,457 - -	1,887,325 18 10

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*				
Workhouses, &c.:	£.	£. s. d.	£. s. d.	£. s. d.
Amesbury Union	nil	700 — —	700 — —	318 8 3
Anglesey Union	„	3,000 — —	3,000 — —	1,881 8 11
Aberystwith Union	„	1,300 — —	1,300 — —	979 6 7
Andover Union	„	2,600 — —	2,600 — —	311 2 10
Ashton-under-Lyne Union	„	4,700 — —	4,700 — —	335 5 —
Alton Union	„	1,000 — —	1,000 — —	875 19 10
Aston Union	„	16,000 — —	16,000 — —	9,913 8 7
Aysgarth Union	1,000	nil	1,000 — —	1,000 — —
Barnsley Union	3,400	5,270 — —	8,670 — —	7,114 1 3
Barnet Union	nil	1,500 — —	1,500 — —	1,460 — —
Braintree Union	„	800 — —	800 — —	80 — —
Blackburn Union	„	5,000 — —	5,000 — —	1,500 — —
Bethnol Green Parish	„	29,604 — —	29,604 — —	14,318 5 1
Berwick-upon-Tweed Union	„	950 — —	950 — —	52 5 5
Bermondsey Parish	„	3,500 — —	3,500 — —	700 — —
Belford Union	„	850 — —	850 — —	792 17 2
Brentford Union	„	4,500 — —	4,500 — —	4,079 5 6
Bicester Union	„	1,300 — —	1,300 — —	1,136 7 10
Bridlington Union	„	400 — —	400 — —	346 19 1
Birmingham Parish	„	12,300 — —	12,300 — —	7,479 3 2
Bridgnorth Union	„	800 — —	800 — —	774 8 2
Bromley Union	„	6,200 — —	6,200 — —	4,944 4 6
Bootle Union	„	800 — —	800 — —	657 2 6
Bloomsbury United Parishes	„	4,800 — —	4,800 — —	3,840 — —
Buntingford Union	„	650 — —	650 — —	296 16 —
Catherington Union	„	1,200 — —	1,200 — —	780 — —
Caistor Union	„	1,080 — —	1,080 — —	964 9 9
Caxton and Arrington Union	„	900 — —	900 — —	785 17 5
Central London Sick Asylum District	„	47,000 — —	47,000 — —	36,033 6 8
Cheltenham Union	„	3,000 — —	3,000 — —	1,115 15 9
Chertsey Union	„	1,400 — —	1,400 — —	464 4 —
Chesterton Union	„	300 — —	300 — —	195 — —
Christchurch Union	„	600 — —	600 — —	54 9 —
Cookham Union	„	1,500 — —	1,500 — —	1,340 6 4
Chorlton Union	„	2,950 — —	2,950 — —	147 10 —
Cosford Union	„	700 — —	700 — —	473 12 2
Coventry United Parishes	„	4,000 — —	4,000 — —	1,200 — —
Clun Union	„	513 — —	513 — —	410 8 —
Drayton Union	„	495 — —	495 — —	297 — —
Droitwich Union	„	1,300 — —	1,300 — —	610 1 1
Doncaster Union	„	2,700 — —	2,700 — —	2,420 — —
Durham Union	„	1,100 — —	1,100 — —	385 — —
Ensington Union	„	1,500 — —	1,500 — —	1,423 4 1
East Grinstead Union	„	7,600 — —	7,600 — —	1,407 13 3
Easthampstead Union	„	300 — —	300 — —	268 13 11
Ecclesall Bierlow Union	„	6,000 — —	6,000 — —	2,100 — —
Epping Union	„	800 — —	800 — —	748 10 11
Falmouth Union	„	500 — —	500 — —	447 13 5
Foleshill Union	„	6,450 — —	6,450 — —	483 7 7
Fulham Union	„	3,500 — —	3,500 — —	3,131 5 —
Fylde Union	„	2,605 — —	2,605 — —	1,203 1 4
Gravesend and Milton Union	„	6,756 — —	6,756 — —	4,729 4 —
Great Yarmouth Parish	„	955 — —	955 — —	95 10 —
Gower Union	„	3,000 — —	3,000 — —	600 — —
Glossop Union	„	1,900 — —	1,900 — —	135 11 6
Hackney Union	„	23,000 — —	23,000 — —	18,650 5 11
Hambledon Union	„	1,500 — —	1,500 — —	1,350 — —
Hartlepool Union	„	4,000 — —	4,000 — —	600 — —
Hartley Wintney Union	„	11,650 — —	11,650 — —	10,180 9 2
Hastings Union	„	3,430 — —	3,430 — —	2,401 — —
Hatfield Union	„	400 — —	400 — —	140 7 8
Hexham Union	„	1,400 — —	1,400 — —	946 13 4
Hemsworth Union	„	3,675 — —	3,675 — —	175 12 7
Huddersfield Union	„	4,300 — —	4,300 — —	579 8 5
Isle of Thanet Union	„	11,000 — —	11,000 — —	7,375 2 —

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
GREAT BRITAIN—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
WORKHOUSES, &c.—*continued.*				
Knaresborough Union	nil	784 — —	784 — —	156 16 —
Knighton Union	„	1,000 — —	1,000 — —	875 1 5
Kingston Union	„	19,000 — —	19,000 — —	9,050 — —
Lambeth Parish	„	20,000 — —	20,000 — —	13,494 11 11
Lancaster Union	„	1,400 — —	1,400 — —	910 6 6
Leicester Union	„	7,400 — —	7,400 — —	3,588 6 3
Machynlleth Union	„	2,300 — —	2,300 — —	326 16 —
Market Bosworth Union	„	1,300 — —	1,300 — —	1,133 7 11
Market Harborough Union	„	1,400 — —	1,400 — —	576 — 8
Melton Mowbray Union	„	1,200 — —	1,200 — —	744 15 6
Medway Union	„	17,400 — —	17,400 — —	1,152 16 5
Mitford and Launditch Union	„	2,000 — —	2,000 — —	914 19 11
Neath Union	„	1,000 — —	1,000 — —	959 16 3
Newmarket Union	„	900 — —	900 — —	672 4 10
Northampton Union	„	3,800 — —	3,800 — —	3,400 10 8
North Bierley Union	„	750 — —	750 — —	33 1 1
Nottingham Union	„	5,000 — —	5,000 — —	4,468 18 5
Pately Bridge Union	„	2,500 — —	2,500 — —	186 10 —
Penistone Union	„	4,330 — —	4,330 — —	860 4 5
Preston Union	„	5,154 — —	5,154 — —	368 1 —
Peterborough Union	„	600 — —	600 — —	521 2 1
Pontefract Union	„	5,170 — —	5,170 — —	4,763 9 3
Pontypool Union	„	2,000 — —	2,000 — —	1,250 — —
Poole Union	„	750 — —	750 — —	702 12 7
Portsea Island Union	„	4,550 — —	4,550 — —	910 — —
Radford Union	„	3,800 — —	3,800 — —	3,437 11 2
Redruth Union	„	600 — —	600 — —	60 — —
Ripon Union	„	2,730 — —	2,730 — —	2,324 17 5
Romsey Union	„	1,200 — —	1,200 — —	780 — —
Ross Union	„	1,300 — —	1,300 — —	698 17 8
Runcorn Union	„	670 — —	670 — —	134 — —
Stafford Union	„	900 — —	900 — —	822 14 5
Salford Union	„	5,000 — —	5,000 — —	4,373 9 6
Stamford Union	„	300 — —	300 — —	251 2 6
Swansea Union	„	15,780 — —	15,780 — —	3,583 4 1
Selby Union	„	594 — —	594 — —	444 — 10
Shipton-on Stour Union	„	550 — —	550 — —	110 — —
Stockton Union	„	5,000 — —	5,000 — —	3,500 — —
Solihull Union	„	650 — —	650 — —	390 — —
South Stoneham Union	„	3,580 — —	3,580 — —	2,689 9 1
Stourbridge Union	„	4,000 — —	4,000 — —	2,595 3 11
Sculcoates Union	„	3,160 — —	3,160 — —	644 1 5
Sunderland Union	„	3,000 — —	3,000 — —	758 17 5
St. Albans Union	„	800 — —	800 — —	450 — —
St. George-in-the-East Parish	„	30,428 — —	30,428 — —	23,455 — —
Tamworth Union	„	1,000 — —	1,000 — —	853 15 6
Ticehurst Union	„	1,500 — —	1,500 — —	125 9 —
Thirsk Union	„	650 — —	650 — —	594 17 1
Tisbury Union	„	1,500 — —	1,500 — —	490 5 3
Tonbridge Union	650	— — —	650 — —	650 — —
Torrington Union	nil	900 — —	900 — —	585 — —
Totnes Union	„	750 — —	750 — —	725 5 —
Toxteth Park Township	„	15,900 — —	15,900 — —	6,685 — —
Warrington Union	„	3,000 — —	3,000 — —	2,100 — —
Wayland Union	„	300 — —	300 — —	250 — —
Wellington Union	„	2,000 — —	2,000 — —	1,866 17 —
Weobley Union	„	900 — —	900 — —	810 — —
West Derby Union	„	56,850 — —	56,850 — —	24,404 9 5
Wetherby Union	„	4,190 — —	4,190 — —	1,066 10 3
Wimborne and Cranborne Union	„	3,475 — —	3,475 — —	1,409 5 5
Wigton Union	„	1,700 — —	1,700 — —	324 7 7
Woodstock Union	„	600 — —	600 — —	90 4 4
Worksop Union	„	2,700 — —	2,700 — —	2,382 12 2
TOTAL £.	5,050	579,128 — —	584,178 — —	320,883 1 5

APPENDIX (B.)—*continued.*

IRELAND.

BORROWERS.	Amount Advanced, in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
	£.	£. s. d.	£. s. d.	£. s. d.
Belfast and County Down Railway:				
1 Advance	nil	17,149 – –	17,149 – –	12,249 5 –
2 „	„	5,760 – –	5,760 – –	4,114 5 –
3 „	„	10,060 – –	10,060 – –	7,185 13 4
4 „	„	16,816 12 1	16,816 12 1	12,011 17 1
5 „	„	9,550 – –	9,550 – –	6,821 8 4
6 „	„	11,015 – –	11,015 – –	7,867 16 8
7 „	„	10,236 10 8	10,236 10 8	7,311 15 8
8 „	„	12,550 – –	12,550 – –	8,964 5 –
9 „	„	11,050 – –	11,050 – –	8,050 13 10
10 „	„	10,160 5 –	10,160 5 –	7,402 8 –
11 „	„	10,782 – –	10,782 – –	7,855 8 11
12 „	„	7,330 – –	7,330 – –	5,340 7 8
13 „	„	11,765 – –	11,765 – –	8,739 13 –
14 „	„	8,280 – –	8,280 – –	6,269 2 3
15 „	„	4,600 – –	4,600 – –	3,548 10 8
16 „	„	7,700 – –	7,700 – –	6,270 – –
	£.	164,804 7 9	164,804 7 9	120,002 10 5
Burial Boards:				
Athlone (Town)	nil	500 – –	500 – –	275 – –
Athlone (Union)	„	750 – –	750 – –	375 – –
Ballymahon	„	800 – –	800 – –	160 – –
Ballymena	„	1,000 – –	1,000 – –	800 – –
Rathdown	„	5,000 – –	5,000 – –	1,250 – –
Rathdrum	„	1,628 – –	1,628 – –	814 – –
Urlingford	„	800 – –	800 – –	440 – –
	£.	10,478 – –	10,478 – –	4,114 – –
Harbours:				
Courtown	nil	17,000 – –	17,000 – –	6,000 – –
Portrush	„	2,100 – –	2,100 – –	1,745 – –
Tralee	„	12,950 – –	12,950 – –	5,400 – –
Wicklow	„	6,000 – –	6,000 – –	6,000 – –
	£.	38,050 – –	38,050 – –	19,145 – –
Irish Railways:				
Athenry and Ennis Junction	nil	59,000 – –	59,000 – –	59,000 – –
Belfast Central	„	100,000 – –	100,000 – –	100,000 – –
Dublin and Antrim Junction	„	40,000 – –	40,000 – –	40,000 – –
Dublin, Wicklow, and Wexford	„	229,300 – –	229,300 – –	114,508 3 9
Finn Valley	„	20,000 – –	20,000 – –	11,303 – 2
Great Northern and Western	„	113,000 – –	113,000 – –	34,080 1 10
Great Northern of Ireland	„	100,000 – –	100,000 – –	28,586 19 7
Limerick and Ennis	„	30,000 – –	30,000 – –	13,427 11 5

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
IRELAND—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
IRISH RAILWAYS—*continued.*				
Limerick and Foynes	nil	40,000 – –	40,000 – –	15,172 8 1
Londonderry and Lough Swilly	„	13,000 – –	13,000 – –	12,175 – –
Midland Great Western	„	500,000 – –	500,000 – –	328,298 15 5
Parsonstown and Portumna Bridge	„	12,000 – –	12,000 – –	12,000 – –
Portadown and Dungannon	„	25,000 – –	25,000 – –	8,384 – –
Waterford and Kilkenny	„	123,000 – –	123,000 – –	27,403 10 7
Waterford and Limerick	„	120,000 – –	120,000 – –	31,747 7 10
	£.	1,524,300 – –	1,524,300 – –	836,086 18 8
RAILWAY COMPANIES (IRELAND) TEMPORARY ADVANCES ACT, 1860:				
Athenry and Tuam Railway Company	nil	8,400 – –	8,400 – –	8,400 – –
Newry, Warrenpoint, and Rostrevor Railway Company	„	30,000 – –	30,000 – –	29,465 2 –
	£.	38,400 – –	38,400 – –	37,865 2 –
ROAD:				
Cork and Ballyhooly Road	nil	12,000 – –	12,000 – –	11,400 – –
SEWAGE UTILIZATION:				
Balbriggan	nil	300 – –	300 – –	255 – –
Bray	„	2,900 – –	2,900 – –	2,128 13 11
Holywood	„	1,000 – –	1,000 – –	450 – –
Lurgan	„	1,200 – –	1,200 – –	540 – –
Millstreet	„	800 – –	800 – –	628 11 6
Moville	„	155 – –	155 – –	84 2 5
South Dublin	„	4,300 – –	4,300 – –	3,569 18 7
	£.	10,655 – –	10,655 – –	7,656 6 5
WATERWORKS:				
Dublin Corporation	nil	382,000 – –	382,000 – –	346,398 19 –
Enniskillen	„	7,000 – –	7,000 – –	5,040 – –
	£.	389,000 – –	389,000 – –	351,438 19 –
WORKHOUSE:				
Cork Union	nil	2,000 – –	2,000 – –	900 – –

HARBOURS AND PASSING TOLLS.

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
ENGLAND AND WALES:	£.	£. s. d.	£. s. d.	£. s. d.
Bridlington Piers and Harbour	nil	3,000 – –	3,000 – –	1,900 – –
Carnarvon Harbour	„	10,000 – –	10,000 – –	8,815 12 –
Dartmouth Harbour	„	14,500 – –	14,500 – –	13,371 10 8
Falmouth Docks	„	50,000 – –	50,000 – –	47,873 4 5
Falmouth Harbours	4,000	8,000 – –	12,000 – –	11,800 – –
Fishguard Harbour	nil	500 – –	500 – –	340 – –
Great Yarmouth Port and Harbour	„	27,000 – –	27,000 – –	23,926 1 2
Harwich Harbour Commissioners	„	10,000 – –	10,000 – –	7,820 – –
Hartlepool Port and Harbour	„	30,000 – –	30,000 – –	29,666 13 3
Ilfracombe Harbour (Sir B. P. Wrey, bart.)	„	8,000 – –	8,000 – –	7,416 13 4

APPENDIX (B.)—*continued.*

BORROWERS.	Amount Advanced in 1877-78.	Amount previously Advanced.	Total Advanced.	Balance of Principal Outstanding.
HARBOURS AND PASSING TOLLS—*continued.*				
ENGLAND AND WALES—*continued.*	£.	£. s. d.	£. s. d.	£. s. d.
Looe Harbour	nil	4,000 – –	4,000 – –	3,460 – –
Mousehole Harbour	„	5,500 – –	5,500 – –	5,280 – –
Newhaven Harbour and Ouse Lower Navigation	„	42,000 – –	42,000 – –	32,320 – –
Penzance Harbour	„	10,000 – –	10,000 – –	8,043 11 6
Torquay Harbour (Sir Lawrence Palk)	„	18,300 – –	18,300 – –	15,372 – –
Padstow Harbour	„	1,720 – –	1,720 – –	1,592 5 4
St. Ives Harbour	„	4,000 – –	4,000 – –	1,800 – –
Tees Improvement Commissioners	„	175,000 – –	175,000 – –	162,433 1 2
Tyne Conservancy Commission	„	250,000 – –	250,000 – –	226,897 16 9
Wear (River) Commissioners	„	300,000 – –	300,000 – –	266,810 7 5
	£. 4,000	971,520 – –	975,520 – –	876,438 16 11
SCOTLAND:				
Aberdeen Harbour	nil	100,000 – –	100,000 – –	95,142 6 1
British Fisheries Society, Pulteney Harbour	„	62,000 – –	62,000 – –	59,256 17 –
Dundee Trinity House	„	5,000 – –	5,000 – –	3,840 – –
Eyemouth Harbour	1,200	nil	1,200 – –	1,200 – –
Fraserburgh Harbour	8,000	20,000 – –	28,000 – –	27,616 16 7
Greenock Harbour	nil	140,000 – –	140,000 – –	57,016 13 2
Kirkwall Harbour	„	11,000 – –	11,000 – –	9,023 19 5
Leith Harbour and Docks	„	223,000 – –	223,000 – –	89,154 5 9
Macduff Harbour	2,500	nil	2,500 – –	2,500 – –
Rosehearty Harbour Commissioners	1,500	4,500 – –	6,000 – –	4,710 8 10
	£. 13,200	565,500 – –	578,700 – –	349,461 6 10
IRELAND:				
Bangor Harbour (R. E. Ward)	nil	3,000 – –	3,000 – –	2,195 5 11
Belfast Harbour	„	100,000 – –	100,000 – –	82,639 5 11
Carlingford Harbour and Lough	„	80,000 – –	80,000 – –	79,166 – –
Carrickfergus Harbour Commissioners	„	6,000 – –	6,000 – –	4,976 – –
Limerick Harbour Commissioners	„	23,779 9 1	23,779 9 1	21,915 14 2
Portrush Harbour Company	„	2,500 – –	2,500 – –	2,336 13 7
Rosslare Harbour Commissioners	„	45,000 – –	45,000 – –	45,000 – –
Waterford, Port and Harbour of	„	12,000 – –	12,000 – –	9,075 – –
	£.	272,279 9 1	272,279 9 1	247,303 19 7
ISLE OF MAN:				
Isle of Man Harbours	– –	166,600 – –	166,600 – –	155,481 5 2
COLONIES:				
Basses Lighthouses	10,000	110,000 – –	120,000 – –	107,900 – –
Colombo Harbour	nil	75,000 – –	75,000 – –	72,644 17 4
	£. 10,000	185,000 – –	195,000 – –	180,544 17 4

APPENDIX (C.)

STATEMENT in Detail of LOANS PAID OFF.

Date of Final Payment.	BORROWERS.	Amount of Loan.	Date of Advance.
		£.	
3 April 1877	Kingston Union, 7th loan	2,000	17 Mar. 1874
6 „ „	St. Pancras Vestry	22,500	30 June 1866
9 „ „	South Shields Local Board of Health	4,200	19 „ 1858
9 „ „	Lincolnshire Lunatic Asylum, 3rd loan	5,000	9 May 1857
13 „ „	Maidstone Corporation, Public Library, &c.	1,500	6 „ „
16 „ „	Dolgelly Union, 2nd loan	1,850	5 „ „
20 „ „	Pocklington Burial Board	1,300	7 „ „
26 „ „	Holborn Union, 2nd loan	27,639	21 Nov. 1870
27 „ „	Tottenham Burial Board, 1st loan	3,100	21 April 1857
1 May „	Dymchurch Sewer Authority	150	13 May 1867
8 „ „	Plymouth Corporation, 1st advance	10,000	25 Feb. 1871
8 „ „	Ditto - ditto 2nd „	10,000	10 April 1872
8 „ „	Ditto - ditto 3rd „	10,000	24 Feb. 1873
17 „ „	New Windsor Burial Board -	4,000	2 May 1857
4 June „	Newcastle-on-Tyne Corporation, 1st loan, Baths	4,500	14 June 1859
6 „ „	Ripley Burial Board, 1st loan	1,700	4 July 1857
7 „ „	Brighouse Burial Board, 1st advance, 1st loan	3,000	15 April 1872
7 „ „	Ditto - ditto - 2nd „ 1st „	2,000	10 Feb. 1873
7 „ „	Ditto - ditto - 2nd loan	2,000	21 „ 1874
7 „ „	Kilkhampton Church	400	11 June 1859
7 „ „	Montgomery Lunatic Asylum, 1st advance	4,000	15 July 1847
16 „ „	Middleton Stoney Church, 2nd loan	200	4 „ 1857
18 „ „	Mentmore Church	600	23 „ „
19 „ „	Froxfield Church	240	17 „ 1862
	North Bierley Union, 3d advance, 1st loan	1,500	4 „ 1857
27 „ „	Bradford Union, Yorkshire, 4th loan	500	25 „ „
29 „ „	Great Ousebourne Union, 2nd loan	2,600	27 „ „
30 „ „	Durham Justices, Lunatic Asylum, 1st advance	10,000	25 „ „
	Glamorgan Justices, Gaol, 3rd advance, 6th loan	10,000	25 „ „
	Canton Local Board, 1st loan	1,200	18 „ 1867
5 July „	Blandford Union, 2nd advance, 2nd loan	4,000	25 „ 1857
6 „ „	Runcorn Union, 1st loan	2,250	25 „ „
11 „ „	Bristol Corporation Lunatic Asylum, 1st advance	10,000	25 „ „
12 „ „	Whitchurch Church	2,000 (compounded.)	25 Mar. 1867
13 „ „	Bolton Corporation, 3rd advance, 2nd loan	20,000	17 July „
17 „ „	King's Lynn Union, 4th loan	1,800	15 Aug. 1857
18 „ „	Laleston Church	200	7 Sept. „
24 „ „	Petham Church	300	15 Aug. „
26 „ „	Harmondsworth Burial Board	400	29 July 1867
27 „ „	Yeovil Union, 3rd loan	200	15 Aug. 1857
2 Aug. „	Whittington Burial Board	350	15 „ „
3 „ „	Carisbrooke Burial Board, 1st advance	2,000	18 „ „
17 „ „	Bletchingley Burial Board	650	5 Sept. „
24 „ „	Knaresborough Union, 2nd loan	882	7 „ 1868
3 Sept. „	North Bierley Union, 4th advance, 1st loan	1,500	3 Oct. 1857
17 „ „	Preston Corporation, 3rd advance, 2nd loan	5,000	21 Sept. 1865
20 „ „	Basingstoke Burial Board, 1st advance	2,000	3 Oct. 1857
3 Oct. „	Sunderland-near the-Sea Burial Board, 2nd advance, 1st loan	2,331	24 „ „
6 „ „	Stalmine Burial Board, 2nd loan	300	24 „ „
8 „ „	Cross Canonby Burial Board	2,920	24 „ „
13 „ „	Eastry Union, 6th loan	5,000	24 Sept. 1870
16 „ „	Wherwell Church	420	6 Nov. 1857
20 „ „	Pembroke Justices, Lunatic Asylum, 2nd loan	1,300	16 „ „
	Selby Burial Board	1,200	18 „ „
22 „ „	Manchester Corporation Gaol, 2nd loan	25,000	13 Dec. 1856 3 Oct. 1857 26 Dec. „
25 „ „	Ascott under Wychwood Church	250	16 Nov. „
26 „ „	Luton Union, 5th loan	500	31 Oct. 1867
31 „ „	Hatfield Union	1,000	29 Nov. „
6 Nov. „	Brixworth Church	200	24 „ 1866
7 „ „	Bromsgrove Burial Board	2,500	5 Dec. 1857
	Gloucester Burial Board, 1st advance, 1st loan	3,000	14 Nov. „

APPENDIX (C.)—STATEMENT in Detail of Loans Paid off—*continued.*

Date of Final Payment.	BORROWERS.	Amount of Loan.	Date of Advance.
		£.	
8 Nov. 1877	Aberavon Local Board, 1st advance, 1st loan	1,000	24 Dec. 1867
	Ditto - ditto - 2nd „ 1st „	1,000	6 May 1868
	Ditto - ditto - 3rd „ 1st „	1,500	3 Oct. „
	Ditto - ditto - - - 2nd „	500	23 Mar. 1869
	Ditto - ditto - - - 3rd „	250	16 Oct. „
15 „ „	Swansea Burial Board, 2nd loan	1,000	16 Nov. 1857
16 „ „	Cardiganshire Lunatic Asylum, 2nd loan	1,000	16 Jan. 1858
19 „ „	Newcastle-upon-Tyne Union, - 4th loan	750	7 Nov. 1868
	Ditto - - ditto, 1st advance, 5th „	3,000	15 Dec. „
	Ditto - - ditto, 2nd „ 5th „	3,000	15 May 1869
	Ditto - - ditto, 3rd „ 5th „	3,000	18 Sept. „
	Ditto - - ditto, 4th „ 5th „	3,000	20 Aug. 1870
	Ditto - - ditto, 5th „ 5th „	2,000	16 Feb. 1871
	Ditto - - ditto - - 6th „	1,550	8 „ 1872
20 „ „	Poynton Chapel	2,000	7 Dec. 1857
22 „ „	Preston Union, 1st loan	4,172	4 „ 1863
23 „ „	Montgomery Lunatic Asylum, 2nd advance	2,640	25 Nov. 1847
23 „ „	Glossop Union, 1st loan	2,350	4 Dec. 1863
26 „ „	Walker Local Board, 1st loan	2,035	24 „ 1867
26 „ „	Maidstone Union, 4th loan	4,500	5 „ 1857
27 „ „	Great Warley Church	450	20 „ 1858
28 „ „	Chesham Burial Board, 1st advance, 1st loan	2,000	11 „ 1857
29 „ „	Little Sodbury Church	200	9 „ „
	Wellingborough Burial Board, 1st loan	2,300	5 „ „
	Oldbury Burial Board, 1st advance, 1st loan	4,000	30 „ „
30 „ „	Kirkcaldy Parish School Board, 1st advance	150	1 „ 1874
	Ditto - - ditto - - 2nd „	500	13 Mar. 1875
	Ditto - - ditto - - 3rd „	200	4 „ 1876
	Wrawby-cum-Brigg Burial Board, 2nd loan	500	13 Feb. 1858
6 Dec. „	Strand Union, 8th loan	1,500	15 Dec. 1868
11 „ „	Ashton-under-Lyne Union, 1st loan	6,700	4 „ 1863
12 „ „	Fulham District Board of Works, 1st advance	6,000	5 „ 1857
13 „ „	Lee Burial Board	3,000	3 Mar. 1869
17 „ „	Weardale Union, 2nd loan	4,500	28 Oct. 1865
	Ditto - - 3rd „	1,000	15 Nov. 1867
18 „ „	Central London Sick Asylum District, 2nd loan	9,000	1 Oct. 1870
	Ditto - - ditto - - ditto - 3rd „	2,800	4 Nov. 1871
22 „ „	Gloucester Burial Board, 2nd advance, 1st and 2nd loans	4,000	16 Jan. 1858
	Carisbrooke Burial Board, 2nd advance	2,000	26 Dec. 1857
29 „ „	Berwick-upon-Tweed Union, 3rd loan	1,850	16 Jan. 1858
	Tornes Union, 1st loan	560	11 „ 1868
	Bristol Lunatic Asylum, 2nd advance	10,000	19 „ 1858
2 Jan. 1878	Strand Union, 3rd advance, 9th loan	14,000	17 „ 1870
	Ditto - 4th „ 9th „	12,000	14 Feb. „
	Ditto - 10th loan	1,350	20 June „
	Ditto - 11th „	953	24 Dec. „
	Ditto - 12th „	7,000	4 Sept. 1872
	Ditto - 13th „	2,000	16 Dec. „
	Ditto - 14th „	400	12 July 1873
	Ditto - 15th „	1,854	5 Sept. „
4 „ „	Thirsk Union, 4th loan	300	31 Jan. 1868
	Warwick Gaol, 1st advance, 1st loan	10,000	16 „ 1858
5 „ „	North Aylesford Union, 5th loan	1,500	24 Feb. 1870
	Ditto - - ditto - 6th „	3,000	9 Sept. 1871
	Ditto - - ditto - 7th „	1,000	25 April 1877
	Annan Parochial Board	1,250	13 Feb. 1858
	Port Glasgow Parochial Board	1,600	13 „ „
	Elgin Parochial Board	1,500	13 „ „
	Loughborough Burial Board, 3rd loan	1,200	16 Jan. „
7 „ „	Durham Lunatic Asylum, 2nd advance	10,000	16 „ „
11 „ „	Etchilhampton Church	100	13 „ 1868
12 „ „	Newcastle-upon-Tyne Corporation, Public Baths, 2nd loan	2,500	1 Feb. 1862
23 „ „	North Hykeham Church	500	13 „ 1858
28 „ „	North Bierley Union, 2nd loan	2,350	13 „ „
6 Feb. „	St. Owen Church, Hereford	265	20 Mar. 1862
	Hinckley Burial Board	2,500	13 Feb. 1858
9 „ „	Tottenham Burial Board, 2nd loan	499	15 Mar. „

APPENDIX (C.)—STATEMENT in Detail of Loans Paid off—*continued.*

Date of Final Payment.	BORROWERS.	Amount of Loan.	Date of Advance.
		£.	
21 Feb. 1878	Halifax Union, 1st advance, 6th loan	5,000	24 May 1869
	Ditto 2nd " 6th "	2,500	24 Dec. "
	Ditto 3rd " 6th "	2,500	29 April 1870
	Ditto 7th "	3,570	11 Nov. "
	Ditto 8th "	5,300	10 June 1871
	Ditto 9th "	6,457	19 Feb. 1872
26 " "	Bristol Local Board of Health, 2nd advance	7,500	19 Mar. 1859
27 " "	Ashton-under-Lyne Union, 2nd loan	3,800	2 " 1864
4 Mar. "	Preston Union, 2nd loan	4,963	4 " "
5 " "	Worcester Burial Board, 1st advance	2,500	27 " 1858
9 " "	St. Martin's, Haverfordwest, Burial Board, 1st loan	500	27 " "
	Easthampstead Union, 4th loan	500	16 April 1868
11 " "	Aveton Gifford Church	500	21 Mar. "
13 " "	Oldbury Burial Board, 2nd advance	2,000	27 " 1858
18 " "	Shaugh Prior Church	300	30 " 1868
19 " "	Greenwich Burial Board, 3rd loan	450	29 " 1858
20 " "	Old Sodbury Church	700	27 " "
21 " "	Sheppey Union, 5th loan	2,880	20 Jan. 1870
	Ditto 6th loan	463	24 Dec. "
22 " "	West Dean and Binderton Joint Burial Board	200	5 May 1858
28 " "	Aston Union, 5th advance, 4th loan	1,000	21 Jan. 1871
30 " "	Preston Corporation, 4th advance, 2nd loan	6,739	7 April 1866
	£.	491,432	

APPENDIX (D.)

STATEMENT in Detail of LOANS Granted.

Under the ELEMENTARY EDUCATION ACTS, 1870—1873.

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Abernant	306	50	3½	School Fund and Local Rate.
Accrise and Paddlesworth	167	30	3½	- ditto.
Adlingfleet	640	50	3½	- ditto.
Alverthorpe-with-Thornes	2,665	50	3½	- ditto.
Antingham and Southrepps	1,356	30	3½	- ditto.
Arlecdon and Weddicar	9,775	50	3½	- ditto.
Ashbrittle and Stawley	800	50	3½	- ditto.
Aston	55,440	50	3½	- ditto.
Avenbury	500	50	3½	- ditto.
Awsworth	2,418	50	3½	- ditto.
Aylesbeare	46	20	3½	- ditto.
Backworth	509	50	3½	- ditto.
Bampton	1,000	50	3½	- ditto.
Barford	900	50	3½	- ditto.
Barnburgh	1,972	50	3½	- ditto.
Barnsley	2,300	50	3½	- ditto.
Basford	9,547	50	3½	- ditto.
Bath	2,700	50	3½	- ditto.
Batley	4,910	50	3½	- ditto.
Battle and Aberyskir	622	50	3½	- ditto.
Bearley	540	50	3½	- ditto.
Beeeles	1,938	50	3½	- ditto.
Beckenham	2,075	50	3½	- ditto.
Bedwellty	4,000	50	3½	- ditto.
Belper	7,275	50	3½	- ditto.
Benfieldside	5,255	50	3½	- ditto.
Beoley	300	50	3½	- ditto.

APPENDIX (D.)—Loans Granted under the Elementary Education Acts, 1870—1873—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Beyton	1,010	50	3½	School Fund and Local Rate.
Bildeston	150	13	3½	ditto.
Bilsby	500	50	3½	ditto.
Birmingham	60,703	50	3½	ditto.
Bishops Itchington	195	20	3½	ditto.
Bix	600	30	3½	ditto.
Blackmore	800	50	3½	ditto.
Blaenffos	1,400	50	3½	ditto.
Boldon	6,600	50	3½	ditto.
Bolehall and Glascote	600	50	3½	ditto.
Bow Brickhill	1,559	50	3½	ditto.
Bradford (Yorkshire)	17,843	50	3½	ditto.
Bradford "	671	30	3½	ditto.
Bramerton and Kirby Bedon	1,075	50	3½	ditto.
Brampton	1,899	50	3½	ditto.
Brandon	3,402	50	3½	ditto.
Brighton	420	19	3½	ditto.
Brimington	7,550	50	3½	ditto.
Brininghame	336	50	3½	ditto.
Bristol	6,300	50	3½	ditto.
Brompton and Sawdon	1,200	50	3½	ditto.
Bromsgrove	642	50	3½	ditto.
Burford	1,316	50	3½	ditto.
Bursiem	6,121	50	3½	ditto.
Burton-on-Trent	3,324	50	3½	ditto.
Buxhall	721	50	3½	ditto.
Cadoxton	645	50	3½	ditto.
Caldecot	1,216	50	3½	ditto.
Calstock	450	50	3½	ditto.
Calverley-with-Farsley	5,938	50	3½	ditto.
Camborne	1,900	50	3½	ditto.
Cannock	9,675	50	3½	ditto.
Cardiff	20,824	50	3½	ditto.
Carisbrooke	180	50	3½	ditto.
Carlton Husthwaite	1,020	50	3½	ditto.
Carshalton	1,900	50	3½	ditto.
Cassop	882	50	3½	ditto.
Ditto	1,545	20	3½	ditto.
Castleford	8,000	50	3½	ditto.
Chellaston	2,100	50	3½	ditto.
Chepstow	2,254	50	3½	ditto.
Chesham	3,284	50	3½	ditto.
Chesterfield	664	30	3½	ditto.
Chilton	6,220	50	3½	ditto.
Clown	2,400	50	3½	ditto.
Collierley	3,200	30	3½	ditto.
Coltishall	1,000	30	3½	ditto.
Conwil Gaio	1,200	50	3½	ditto.
Cottingham	3,513	50	3½	ditto.
Crantock	400	50	3½	ditto.
Crediton	1,900	50	3½	ditto.
Cregrina	950	50	3½	ditto.
Crewkerne	2,715	50	3½	ditto.
Cridling Stubbs	750	50	3½	ditto.
Crook and Billy Row	10,055	50	3½	ditto.
Cropwell Bishop	1,300	50	3½	ditto.
Croydon	1,000	30	3½	ditto.
Croyland	2,899	50	3½	ditto.
Cyfoeth-y-Brenin	1,170	50	3½	ditto.
Dalton-in-Furness	2,497	50	3½	ditto.
Daresbury	750	50	3½	ditto.
Darton	1,474	50	3½	ditto.
Derby	10,350	50	3½	ditto.
Distington	2,330	50	3½	ditto.
Doddington (Cambridge)	2,150	50	3½	ditto.
Duffryn and Graig	267	50	3½	ditto.
Dutton	1,217	50	3½	ditto.

APPENDIX (D.)—Loans Granted under the Elementary Education Acts, 1870–1873—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Eastwood (Essex)	6,013	50	3½	School Fund and Local Rate.
East Grinstead	600	50	3½	ditto.
East and West Teignmouth	8,794	50	3½	ditto.
Eglwysilan	2,600	50	3½	ditto.
Elland-with Greatland	6,270	50	3½	ditto.
Ellerby	334	50	3½	ditto.
Ellesborough	350	20	3½	ditto.
Elvet, St. Oswald	135	10	3½	ditto.
Erith	670	50	3½	ditto.
Ditto	580	30	3½	ditto.
Ditto	350	9	3½	ditto.
Eston	5,620	50	3½	ditto.
Exeter	500	20	3½	ditto.
Exhall	2,060	50	3½	ditto.
Eynsham	150	50	3½	ditto.
Falmouth	2,401	50	3½	ditto.
Farewell and Chorley	350	50	3½	ditto.
Fenwick and Moss	1,314	50	3½	ditto.
Fewston	1,000	50	3½	ditto.
Fleet	1,776	50	3½	ditto.
Forest of Dean	7,800	50	3½	ditto.
Fornham, All Saints, and Westley	1,003	50	3½	ditto.
Powey	2,305	50	3½	ditto.
Gateshead	20,259	50	3½	ditto.
Ditto	1,196	40	3½	ditto.
Ditto	416	21	3½	ditto.
Gaywood	1,600	50	3½	ditto.
Gelligaer	230	30	3½	ditto.
Gloucester	4,414	50	3½	ditto.
Goachland	650	30	3½	ditto.
Gravesend	7,247	50	3½	ditto.
Greasley	6,795	50	3½	ditto.
Great Broughton	1,952	50	3½	ditto.
Great Cheverell	285	50	3½	ditto.
Great Cornard	800	50	3½	ditto.
Great Leighs	300	12	3½	ditto.
Great Totham	69	10	3½	ditto.
Great Yarmouth	650	30	3½	ditto.
Great and Little Usworth	5,000	50	3½	ditto.
Halwell and Moreleigh	550	50	3½	ditto.
Halwill-cum-Beaworthy	275	50	3½	ditto.
Harborne	4,697	50	3½	ditto.
Harlington	362	50	3½	ditto.
Harthill-with-Woodall	3,188	50	3½	ditto.
Hartlebury	300	50	3½	ditto.
Haselor	150	50	3½	ditto.
Hastings	200	20	3½	ditto.
Hatfield	1,250	50	3½	ditto.
Hatherleigh	150	30	3½	ditto.
Haverfordwest	200	20	3½	ditto.
Haverhill	822	50	3½	ditto.
Hawes	4,469	50	3½	ditto.
Heathfield	2,160	50	3½	ditto.
Helpringham	1,850	50	3½	ditto.
Herbrandston	365	50	3½	ditto.
Heworth	5,856	50	3½	ditto.
High Ercall	1,878	50	3½	ditto.
Ditto	1,000	20	3½	ditto.
Hinckley	6,250	50	3½	ditto.
Hinderwell	2,615	50	3½	ditto.
Hittisleigh	200	50	3½	ditto.
Holbeach	1,381	50	3½	ditto.
Holywell	6,310	50	3½	ditto.
Hornsey	24,375	50	3½	ditto.

APPENDIX (D.)—Loans Granted under the Elementary Education Acts, 1870-1873—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Hove	1,550	50	3½	School Fund and Local Rate.
Huddersfield	7,900	50	3½	ditto.
Ilchester	1,198	50	3½	ditto.
Inkpen	386	50	3½	ditto.
Inwardleigh	564	50	3½	ditto.
Ipswich	1,550	50	3½	ditto.
Isle Abbots	524	50	3½	ditto.
Keighley	14,225	50	3½	ditto.
Kidderminster	1,000	50	3½	ditto.
Killinghall	100	20	3½	ditto.
Kingston-upon-Hull	15,914	50	3½	ditto.
Kingswinford	1,346	50	3½	ditto.
King's Norton	26,964	50	3½	ditto.
Kippax	2,100	50	3½	ditto.
Kirkland and Blencarn	500	50	3½	ditto.
Kyo Laws	1,252	30	3½	ditto.
Lambourne	3,590	50	3½	ditto.
Lambston	450	50	3½	ditto.
Langenhoe	350	50	3½	ditto.
Lanlivery	2,212	50	3½	ditto.
Lanteglos-by-Fowey	743	50	3½	ditto.
Leckhampstead	448	50	3½	ditto.
Leeds	43,315	50	3½	ditto.
Leicester	2,000	30	3½	ditto.
Leyton	906	30	3½	ditto.
Lezant	1,249	50	3½	ditto.
Lidgate	365	30	3½	ditto.
Littlehampton	2,857	50	3½	ditto.
Liversedge	4,743	50	3½	ditto.
Llanarth	498	50	3½	ditto.
Llanbadarnfawr (Cardigan)	660	50	3½	ditto.
Ditto ditto	300	30	3½	ditto.
Llanbadarnfawr (Radnor)	1,700	50	3½	ditto.
Llanbister and Carogan	1,154	50	3½	ditto.
Llanboidy and Llangan	3,340	50	3½	ditto.
Llandebie	3,000	50	3½	ditto.
Llandilo Talybont	1,937	50	3½	ditto.
Llanelly (Brecon)	2,264	50	3½	ditto.
Llanelly (Carmarthen)	403	20	3½	ditto.
Llanfairclydogan	699	50	3½	ditto.
Llanfairmathafarneithaf	580	50	3½	ditto.
Llanfihangel ar Arth	870	50	3½	ditto.
Llanfihangel Ystrad	646	50	3½	ditto.
Llangadock	2,000	50	3½	ditto.
Llangendeirne	700	50	3½	ditto.
Llanguicke	2,123	50	3½	ditto.
Llangunnor	650	50	3½	ditto.
Llangybie	400	50	3½	ditto.
Llanllwchaiarn	1,060	50	3½	ditto.
Llannor	165	50	3½	ditto.
Llanrhidian, Higher	410	30	3½	ditto.
Llanrwst	450	50	3½	ditto.
Llanspyddid	690	20	3½	ditto.
Llanwinio	562	30	3½	ditto.
Llanwonno	4,500	50	3½	ditto.
Lockington	1,695	50	3½	ditto.
London	500,000	50	3½	ditto.
Longbenton	6,320	50	3½	ditto.
Lopen	815	50	3½	ditto.
Ludgwan	800	50	3½	ditto.
Maesmynys and Llangynog	910	50	3½	ditto.
Mallerstang	529	50	3½	ditto.
Manuden	35	50	3½	ditto.
Margate	1,000	30	3½	ditto.

APPENDIX (D.)—Loans Granted under the Elementary Education Acts, 1870—1873—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£			
Marrick	695	50	3½	School Fund and Local Rate.
Marston, St. Lawrence	1,000	50	3½	ditto.
Melbourne	1,240	50	3½	ditto.
Melindwr	1,253	50	3½	ditto.
Meline and Whitchurch	1,150	50	3½	ditto.
Merthyr Cynog	420	50	3½	ditto.
Merthyr Tydfil	2,500	50	3½	ditto.
Methley	6,200	50	3½	ditto.
Mexborough	2,579	50	3½	ditto.
Michelmersh	416	50	3½	ditto.
Middlesbrough	300	10	3½	ditto.
Middleston	2,136	50	3½	ditto.
Minster-in-Sheppey	5,191	50	3½	ditto.
Minting and Gautby	700	50	3½	ditto.
Moorsholm-cum-Gerrick	2,197	50	3½	ditto.
Morthoe	1,238	30	3½	ditto.
Moulton	906	50	3½	ditto.
Ditto	204	20	3½	ditto.
Murton	1,500	50	3½	ditto.
Mynyddislwyn	3,000	50	3½	ditto.
Nantmel	260	50	3½	ditto.
Nazeing	2,000	50	3½	ditto.
Newbold-upon-Avon	3,367	50	3½	ditto.
Newport (Isle of Wight)	2,200	50	3½	ditto.
Newport (Monmouth)	450	30	3½	ditto.
Newtown and Llanllwchaiarn	1,000	50	3½	ditto.
Ditto	620	30	3½	ditto.
Normanby	1,449	50	3½	ditto.
Northampton	1,180	50	3½	ditto.
Ditto	600	30	3½	ditto.
Northowram	300	21	3½	ditto.
North Bedburn	3,600	50	3½	ditto.
North Petherton and St. Michaelchurch	751	50	3½	ditto.
North and South Cowton	283	20	3½	ditto.
Norton-under-Cannock	2,698	50	3½	ditto.
Norwich	20,385	50	3½	ditto.
Ditto	700	30	3½	ditto.
Oldham	6,800	50	3½	ditto.
Ordsall	400	20	3½	ditto.
Osmotherley	1,047	50	3½	ditto.
Ovenden	1,000	50	3½	ditto.
Owthorne	2,000	50	3½	ditto.
Oxford	1,800	50	3½	ditto.
Oystermouth	2,865	50	3½	ditto.
Padstow	280	50	3½	ditto.
Paston	1,154	50	3½	ditto.
Pencoyd and Tretire	649	50	3½	ditto.
Penshaw and Offerton	4,660	50	3½	ditto.
Pickworth and Walcot	950	50	3½	ditto.
Pleasington	750	50	3½	ditto.
Plymouth	1,200	50	3½	ditto.
Plymstock	630	50	3½	ditto.
Portsmouth	9,000	50	3½	ditto.
Prescot	200	50	3½	ditto.
Preston	1,880	50	3½	ditto.
Radford	10,312	50	3½	ditto.
Radstock	800	50	3½	ditto.
Ranskill	1,068	50	3½	ditto.
Rawcliffe-in-Snaith	1,183	50	3½	ditto.
Rawmarsh	1,000	50	3½	ditto.
Repps-with-Bastwick	300	50	3½	ditto.
Rettendon	1,700	50	3½	ditto.
Reynoldstone	1,468	50	3½	ditto.

APPENDIX (D.)—Loans Granted under the Elementary Education Acts, 1870—1873—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Rhydwyclydach	395	30	3½	School Fund and Local Rate.
Ringmer	2,160	50	3½	ditto.
Rogerstone and Henllys	4,300	50	3½	ditto.
Rose Ash	300	30	3½	ditto.
Rotherham	11,003	50	3½	ditto.
Rothwell and Thorp Stapleton	525	25	3½	ditto.
Rowley Regis	1,400	30	3½	ditto.
St. Allen	700	50	3½	ditto.
St. Austell	3,006	50	3½	ditto.
Ditto	150	20	3½	ditto.
St. Breock and Egloshayle	1,849	50	3½	ditto.
St. Columb, Major	1,500	50	3½	ditto.
St. Columb, Minor	1,000	50	3½	ditto.
St. George	3,250	50	3½	ditto.
St. Just-in-Penwith	2,498	50	3½	ditto.
Ditto	700	14	3½	ditto.
St. Lawrence	1,160	50	3½	ditto.
St. Stephen's-in-Branwell	376	50	3½	ditto.
St. Teath	4,532	50	3½	ditto.
Sandiacre	2,603	50	3½	ditto.
Sawston	350	50	3½	ditto.
Scarborough	900	25	3½	ditto.
Seaton and Camerton	3,331	50	3½	ditto.
Sedgley	3,400	50	3½	ditto.
Sevenoaks	1,715	50	3½	ditto.
Sheffield	25,748	50	3½	ditto.
Shefford	234	50	3½	ditto.
Sherford	500	50	3½	ditto.
Shipley	13,248	50	3½	ditto.
Shirland and Higham	700	50	3½	ditto.
Sidlesham	1,800	50	3½	ditto.
Skelton and Stanghow	5,230	50	3½	ditto.
Skerne	600	50	3½	ditto.
Slaugham	3,852	50	3½	ditto.
South Normanton	3,600	50	3½	ditto.
Stalham	1,450	50	3½	ditto.
Stanbridge	600	50	3½	ditto.
Stanhope	400	15	3½	ditto.
Stanley-with-Wrenthorpe	8,046	50	3½	ditto.
Stansty	2,650	50	3½	ditto.
Stapleford	1,496	50	3½	ditto.
Stokenchurch	2,800	50	3½	ditto.
Stokesley	552	50	3½	ditto.
Stoke Climsland	500	30	3½	ditto.
Stoke Prior	1,340	50	3½	ditto.
Stoke-on-Trent	9,640	50	3½	ditto.
Stranton	5,019	50	3½	ditto.
Ditto	134	10	3½	ditto.
Stratford (Suffolk)	986	50	3½	ditto.
Stratton, St. Margaret	4,770	50	3½	ditto.
Sunderland	9,700	50	3½	ditto.
Sutton-in-Ashfield	8,340	50	3½	ditto.
Swansea, Higher and Lower	4,175	50	3½	ditto.
Swansea, United District	4,132	50	3½	ditto.
Swardeston	900	50	3½	ditto.
Swinton	6,187	50	3½	ditto.
Talland	2,000	50	3½	ditto.
Tamworth	7,700	50	3½	ditto.
Thornley	400	50	3½	ditto.
Throwleigh and Gidleigh	100	50	3½	ditto.
Todmorden	11,160	50	3½	ditto.
Tolleshunt, Major	752	50	3½	ditto.
Tong	4,347	50	3½	ditto.
Tregoney	1,273	50	3½	ditto.
Trelech ar Bettws	900	50	3½	ditto.

APPENDIX (D.)—Loans Granted under the Elementary Education Acts, 1870—1873—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Trevethin	1,500	50	3½	School Fund and Local Rate.
Troedyrawr	2,278	50	3½	- ditto.
Tudhoe	13,332	50	3½	- ditto.
Tuxford	2,217	50	3½	- ditto.
Twerton	4,074	50	3½	- ditto.
Tynemouth	880	50	3½	- ditto.
Ulverston and Mansriggs	280	50	3½	- ditto.
Verwick	500	50	3½	- ditto.
Wakefield	420	20	3½	- ditto.
Wakering	418	50	3½	- ditto.
Wallsend	10,000	50	3½	- ditto.
Ditto	2,000	30	3½	- ditto.
Walpole St. Peter	1,616	50	3½	- ditto.
Walsoken	4,815	50	3½	- ditto.
Walterstone	800	50	3½	- ditto.
Walton	2,453	50	3½	- ditto.
Warlingham	300	50	3½	- ditto.
Welland	167	10	3½	- ditto.
Wellington (Somerset)	800	50	3½	- ditto.
Westfield	105	20	3½	- ditto.
West Bromwich	10,342	50	3½	- ditto.
West Ham	12,680	50	3½	- ditto.
West Thurrock	2,600	50	3½	- ditto.
Whaplode	1,640	50	3½	- ditto.
Whissonsett	400	50	3½	- ditto.
Whitby	1,050	50	3½	- ditto.
Whittlesey	5,498	50	3½	- ditto.
Whixoe	1,000	50	3½	- ditto.
Wickhambrook	2,200	50	3½	- ditto.
Wicklewood	1,530	50	3½	- ditto.
Widnes	12,552	50	3½	- ditto.
Willenhall and Bentley	4,834	50	3½	- ditto.
Willerby	763	50	3½	- ditto.
Willingham	850	50	3½	- ditto.
Wilnecote	4,760	50	3½	- ditto.
Woking	1,574	20	3½	- ditto.
Wolverhampton	810	25	3½	- ditto.
Ditto	11,466	50	3½	- ditto.
Wolviston	1,456	50	3½	- ditto.
Wombridge	3,243	50	3½	- ditto.
Woolfardisworthy	1,617	50	3½	- ditto.
Woolhope	1,335	30	3½	- ditto.
Wrenbury-with-Frith	400	50	3½	- ditto.
Ysbytty Ystwyth	1,233	50	3½	- ditto.
£.	1,706,357			

APPENDIX (D.)—Loans Granted—*continued.*

Under the EDUCATION (SCOTLAND) ACT, 1872.

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Abbey, Parish of Paisley	9,000	40	3½	School Fund and School Rate.
Abercorn	2,000	30	3½	ditto.
Abernethy and Kincardine	650	40	3½	ditto.
Airdrie	3,000	40	3½	ditto.
Alloa (Burgh)	1,120	35	3½	ditto.
Alyth	2,750	50	3½	ditto.
Annan (Parish)	384	25	3½	ditto.
Applegarth and Sibbaldbie	450	25	3½	ditto.
Arbroath (Burgh)	1,200	35	3½	ditto.
Auchtergaven	1,300	45	3½	ditto.
Balmaclellan	400	30	3½	ditto.
Banchory Ternan	2,451	40	3½	ditto.
Beath	2,150	40	3½	ditto.
Blantyre (Parish)	3,069	30	3½	ditto.
Boyndie	2,000	50	3½	ditto.
Cabrach	200	45	3½	ditto.
Calderhead	2,250	22	3½	ditto.
Campbeltown (Burgh)	2,000	40	3½	ditto.
Campbeltown (Parish)	950	40	3½	ditto.
Carmunnock	400	30	3½	ditto.
Carnoch	100	25	3½	ditto.
Castleton	600	30	3½	ditto.
Clackmannan	800	35	3½	ditto.
Coldingham	500	30	3½	ditto.
Colmonell	920	30	3½	ditto.
Colvend	300	30	3½	ditto.
Comrie	350	30	3½	ditto.
Coupar Angus	400	40	3½	ditto.
Crawford	200	17	3½	ditto.
Creich	1,800	50	3½	ditto.
Cumbrae	600	35	3½	ditto.
Cummertrees	1,200	40	3½	ditto.
Currie	2,000	40	3½	ditto.
Dailly	1,800	40	3½	ditto.
Dallas	1,600	40	3½	ditto.
Dalmellington	300	25	3½	ditto.
Denino	200	30	3½	ditto.
Dirleton	600	40	3½	ditto.
Dreghorn	700	30	3½	ditto.
Drymen	500	35	3½	ditto.
Duffus	440	40	3½	ditto.
Dumfries	2,000	40	3½	ditto.
Dunfermline (Burgh)	4,000	40	3½	ditto.
Dunfermline (Parish)	1,100	40	3½	ditto.
Dunnottar	500	40	3½	ditto.
Dunse	1,050	25	3½	ditto.
Duthill and Rothiemurchus	400	40	3½	ditto.
Dyce	750	40	3½	ditto.
Eckford	700	25	3½	ditto.
Edderton	300	30	3½	ditto.
Edenkillie	1,000	40	3½	ditto.
Edrom	600	35	3½	ditto.
Errol	2,000	40	3½	ditto.
Falkirk (Parish)	1,450	40	3½	ditto.
Farnell	650	28	3½	ditto.
Farr	2,700	50	3½	ditto.
Ferry Port-on-Craig	600	35	3½	ditto.
Forgue	350	40	3½	ditto.

APPENDIX (D.)—Loans Granted under the Education (Scotland) Act, 1872—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Forres	577	40	3½	School Fund and School Rate.
Fossoway and Tullibole	250	40	3½	ditto.
Glasgow	100,000	50	3½	ditto.
Glenelg	1,000	50	3½	ditto.
Glenmuick and Tullich	500	50	3½	ditto.
Glenshiel	400	40	3½	ditto.
Govan (Parish)	9,000	40	3½	ditto.
Greenlaw	1,470	40	3½	ditto.
Greenock (East)	2,678	40	3½	ditto.
Hamilton	10,338	40	3½	ditto.
Harris	9,000	45	3½	ditto.
Hawick (Burgh)	2,230	40	3½	ditto.
Houston and Killalan	500	50	3½	ditto.
Humbie	1,400	45	3½	ditto.
Inverarity	300	30	3½	ditto.
Kilbride	1,300	40	3½	ditto.
Kilcalmonell and Kilberry	300	30	3½	ditto.
Kilfinichen and Kilvickeon	1,300	50	3½	ditto.
Killearnan	500	45	3½	ditto.
Kilmadock	300	33	3½	ditto.
Kilmallie	2,283	35	3½	ditto.
Kilmory	1,000	40	3½	ditto.
Kilrenny	2,000	40	3½	ditto.
Kilspindie	95	10	3½	ditto.
Kincardine O'Neil	190	30	3½	ditto.
Kinfauns	94	10	3½	ditto.
Kingarth	120	30	3½	ditto.
Kinloss	1,200	40	3½	ditto.
Kinnaird	230	20	3½	ditto.
Kinnoull	160	10	3½	ditto.
Ditto	750	50	3½	ditto.
Kinross	200	30	3½	ditto.
Kirkcaldy (Burgh)	1,600	40	3½	ditto.
Kirkwall	1,900	50	3½	ditto.
Kirriemuir	400	40	3½	ditto.
Lanark (Parish)	300	30	3½	ditto.
Larbert	700	40	3½	ditto.
Largoward	380	30	3½	ditto.
Latheron	5,000	50	3½	ditto.
Lawrencekirk	200	33	3½	ditto.
Leochel Cushnie	200	45	3½	ditto.
Leslie	3,000	35	3½	ditto.
Linlithgow (Burgh)	400	30	3½	ditto.
Lochgoilhead and Kilmorich	400	50	3½	ditto.
Lumphanan	1,300	40	3½	ditto.
Maryhill	3,590	40	3½	ditto.
Marykirk	1,700	35	3½	ditto.
Maryton	525	35	3½	ditto.
Meldrum	500	50	3½	ditto.
Mochrum	1,200	40	3½	ditto.
Moffat	1,400	25	3½	ditto.
Monkton and Prestwick	523	40	3½	ditto.
Moy and Dalarossie	200	30	3½	ditto.
Muckart	150	40	3½	ditto.
Muiravonside	3,400	40	3½	ditto.
Newburn	300	30	3½	ditto.
Newhills	1,600	50	3½	ditto.
Newlands	180	28	3½	ditto.
New Deer	1,000	40	3½	ditto.
New Luce	430	30	3½	ditto.
New Machar	1,170	50	3½	ditto.
New Pitsligo	450	50	3½	ditto.

APPENDIX (D.)—Loans Granted under the Education (Scotland) Act, 1872—*continued.*

DISTRICT OF SCHOOL BOARD.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Nigg (Kincardine)	3,300	40	3½	School Fund and School Rate.
Nigg (Ross)	980	50	3½	ditto.
Old Deer	1,225	35	3½	ditto.
Port of Monteith	400	20	3½	ditto.
Rafford	195	40	3½	ditto.
Rathen	1,500	50	3½	ditto.
Redgorton	700	45	3½	ditto.
Rhynie	1,000	40	3½	ditto.
Row	3,850	40	3½	ditto.
St. Cuthbert's and Dean	1,000	30	3½	ditto.
St. Fergus	260	50	3½	ditto.
St. Martin's	2,250	50	3½	ditto.
Sandwick	500	50	3½	ditto.
Shettleston	550	40	3½	ditto.
Slamannan	800	40	3½	ditto.
Southdean	250	20	3½	ditto.
Southend	1,700	40	3½	ditto.
South Uist	5,000	50	3½	ditto.
Stobhill	125	20	3½	ditto.
Stoneykirk	800	50	3½	ditto.
Stow	4,200	40	3½	ditto.
Strachan	350	50	3½	ditto.
Straiton	1,000	40	3½	ditto.
Strathdon	300	50	3½	ditto.
Strathmiglo	1,500	35	3½	ditto.
Tillicoultry	900	30	3½	ditto.
Tough	350	40	3½	ditto.
Turriff	4,000	40	3½	ditto.
Twynholm	1,000	40	3½	ditto.
Tyrie	300	35	3½	ditto.
Westray and Papa Westray	1,000	50	3½	ditto.
Yarrow	500	35	3½	ditto.
TOTAL £.	300,812			

SANITARY LOANS under Recommendations of the LOCAL GOVERNMENT BOARD, pursuant to Section 243 of the PUBLIC HEALTH ACT, 1875.

LOCAL AUTHORITIES.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Aberdare Local Board	10,000	30	3½	Rates.
Aldershot Local Board	3,300	30	3½	ditto.
Alfreton Local Board of Health	10,500	50	4	ditto.
Alnwick Rural Sanitary Authority	334	30	3½	ditto.
Altrincham Local Board	1,300	30	3½	ditto.
Altrincham Rural Sanitary Authority	20,900	30	3½	ditto.
Atherton Local Board	10,687	30	3½	ditto.
Ditto ditto	2,158	20	3½	ditto.
Aysgarth Rural Sanitary Authority	350	30	3½	ditto.

APPENDIX (D.)—Sanitary Loans under Recommendations of Local Government Board, &c.—*cont*ᵈ.

LOCAL AUTHORITIES.	Amount of Loans.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Bacup Local Board	550	30	3½	Rates.
Bakewell Local Board	1,550	30	3½	ditto.
Bakewell Rural Sanitary Authority	450	30	3½	ditto.
Banbury Rural Sanitary Authority	3,680	30	3½	ditto.
Barnsley Corporation	50,000	50	4	ditto.
Basingstoke Urban Sanitary Authority	18,000	30	3½	ditto.
Battle Local Board	180	10	3½	ditto.
Battle Rural Sanitary Authority	2,500	30	3½	ditto.
Bedminster Rural Sanitary Authority	250	20	3½	ditto.
Belper Rural Sanitary Authority	4,620	30	3½	ditto.
Ditto ditto	17,000	50	4	ditto.
Bishops Stortford Local Board	770	30	3½	ditto.
Blaby Rural Sanitary Authority	5,220	30	3½	ditto.
Ditto ditto	2,780	50	4	ditto.
Blaydon Local Board	600	30	3½	ditto.
Bournemouth Improvement Commissioners	12,000	30	3½	ditto.
Brackley Rural Sanitary Authority	5,500	30	3½	ditto.
Bredbury Local Board	4,000	30	3½	ditto.
Brixworth Rural Sanitary Authority	1,130	30	3½	ditto.
Bromley Rural Sanitary Authority	200	10	3½	ditto.
Buntingford Rural Sanitary Authority	110	30	3½	ditto.
Burton-on-Trent Rural Sanitary Authority	4,000	30	3½	ditto.
Caistor Rural Sanitary Authority	7,380	30	3½	ditto.
Cannock Local Board	4,000	30	3½	ditto.
Canterbury Urban Sanitary Authority	1,000	30	3½	ditto.
Cardiff Rural Sanitary Authority	340	20	3½	ditto.
Ditto ditto	750	30	3½	ditto.
Castleford Local Board	23,500	50	4	ditto.
Ditto ditto	2,000	30	3½	ditto.
Chard Rural Sanitary Authority	1,500	30	3½	ditto.
Cheshunt Local Board	800	30	3½	ditto.
Chesterfield Rural Sanitary Authority	650	30	3½	ditto.
Chesterfield Town Council	8,500	50	4	ditto.
Ditto ditto	16,500	30	3½	ditto.
Chipping Norton Urban Sanitary Authority	3,633	30	3½	ditto.
Chiswick Improvement Commissioners	30,000	30	3½	ditto.
Church Stretton Rural Sanitary Authority	250	30	3½	ditto.
Cirencester Local Board	366	30	3½	ditto.
Cirencester Rural Sanitary Authority	733	30	3½	ditto.
Clay Lane Local Board	3,500	30	3½	ditto.
Coleford Local Board	1,000	30	3½	ditto.
Congleton Rural Sanitary Authority	4,000	30	3½	ditto.
Conway Rural Sanitary Authority	4,720	30	3½	ditto.
Coventry Rural Sanitary Authority	2,500	30	3½	ditto.
Crediton Improvement Commissioners	1,500	30	3½	ditto.
Croydon Local Board of Health	7,150	30	3½	ditto.
Dartmouth Corporation	500	30	3½	ditto.
Darton Local Board	4,500	30	3½	ditto.
Deal Urban Sanitary Authority	1,000	29	3½	ditto.
Devizes Town Council	11,000	30	3½	ditto.
Driffield Rural Sanitary Authority	1,200	30	3½	ditto.
Droitwich Urban Sanitary Authority	8,018	30	3½	ditto.
Dursley Rural Sanitary Authority	800	30	3½	ditto.
East Ashford Rural Sanitary Authority	300	30	3½	ditto.
East Ward Rural Sanitary Authority	700	30	3½	ditto.
Ebbw Vale Local Board	15,000	50	4	ditto.
Eccleshill Local Board of Health	5,138	30	3½	ditto.
Ditto ditto	10,880	50	4	ditto.
Edmonton Local Board	6,300	30	3½	ditto.
Enfield Local Board	11,000	50	4	ditto.
Ditto ditto	15,500	30	3½	ditto.
Ditto ditto	500	3	3½	ditto.
Falmouth United District Sewerage Board	3,500	30	3½	ditto.

APPENDIX (D.)—Sanitary Loans under Recommendations of Local Government Board, &c.—*cont*ᵈ.

LOCAL AUTHORITIES.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Gloucester Urban Sanitary Authority	10,000	30	3½	Rates.
Golcar Local Board	4,000	30	3½	ditto.
Grange Local Board	8,000	30	3½	ditto.
Grasmere Local Board	2,500	30	3½	ditto.
Harborne Local Board	830	30	3½	ditto.
Hastings Rural Sanitary Authority	1,400	30	3½	ditto.
Hastings Urban Sanitary Authority	2,500	30	3½	ditto.
Hay Rural Sanitary Authority	600	30	3½	ditto.
Heanor Local Board of Health	10,300	30	3½	ditto.
Hemel Hempstead Rural Sanitary Authority.	600	30	3½	ditto.
Hertford Rural Sanitary Authority	2,400	30	3½	ditto.
Hipperholme Local Board	7,000	30	3½	ditto.
Hitchin Local Board	2,000	50	4	ditto.
Ditto - - ditto	2,500	30	3½	ditto.
Hollingbourn Rural Sanitary Authority	1,500	30	3½	ditto.
Hornsea Local Board	800	30	3½	ditto.
Ditto - - ditto	6,200	50	4	ditto.
Horsham Local Board	23,566	30	3½	ditto.
Isle of Wight Rural Sanitary Authority	101	30	3½	ditto.
Kirby Moorside Rural Sanitary Authority	1,000	30	3½	ditto.
Lancaster Rural Sanitary Authority	2,200	30	3½	ditto.
Langport Rural Sanitary Authority	500	30	3½	ditto.
Launceston Local Board of Health	945	20	3½	ditto.
Ledbury Rural Sanitary Authority	900	30	3½	ditto.
Lillington Local Board	1,000	30	3½	ditto.
Linton Rural Sanitary Authority	650	30	3½	ditto.
Littleborough Local Board	2,000	30	3½	ditto.
Littlehampton Local Board	1,500	30	3½	ditto.
Little Lever Local Board	2,000	30	3½	ditto.
Longtown Corporation	7,500	30	3½	ditto.
Midsomer Norton Local Board	1,500	30	3½	ditto.
Monk Bretton Local Board	358	30	3½	ditto.
Ditto - - ditto	500	20	3½	ditto.
Nantwich Local Board of Health	605	30	3½	ditto.
Neath Rural Sanitary Authority	700	30	3½	ditto.
Newark Rural Sanitary Authority	732	30	3½	ditto.
Newport (I. W.) Urban Sanitary Authority	2,000	30	3½	ditto.
New Windsor Urban Sanitary Authority	12,951	30	3½	ditto.
Northwich Local Board	1,000	30	3½	ditto.
North Bierley Local Board	5,000	30	3½	ditto.
Otley Local Board	7,000	30	3½	ditto.
Oxford Local Board	45,515	50	4	ditto.
Patrington Rural Sanitary Authority	2,000	30	3½	ditto.
Penzance Rural Sanitary Authority	1,700	30	3½	ditto.
Penzance Urban Sanitary Authority	1,110	30	3½	ditto.
Pontardawe Rural Sanitary Authority	400	30	3½	ditto.
Rhayader Rural Sanitary Authority	1,400	50	4	ditto.
Ripley Local Board	3,000	50	4	ditto.
Romney Marsh Rural Sanitary Authority	260	10	3½	ditto.
Rothbury Rural Sanitary Authority	300	30	3½	ditto.
Rothwell Local Board	6,725	30	3½	ditto.
Ryde Town Council	10,000	30	3½	ditto.
St. Asaph Rural Sanitary Authority	1,200	30	3½	ditto.
St. Austell Local Board	200	30	3½	ditto.
St. George Local Board	7,409	30	3½	ditto.
St. Helen's (I. W.) Local Board	3,000	30	3½	ditto.

APPENDIX (D.)—Sanitary Loans under Recommendations of Local Government Board, &c.—*cont^d.*

LOCAL AUTHORITIES.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest Per Cent. per Annum.	Security for Repayment.
	£.			
St. Helens (Lancashire) Urban Sanitary Authority.	29,000	30	3½	Rates.
Scarborough Rural Sanitary Authority -	340	30	3½	ditto.
Sevenoaks Rural Sanitary Authority -	500	30	3½	ditto.
Shardlow Rural Sanitary Authority - -	3,900	30	3½	ditto.
Shipley Local Board - - - -	25,000	50	4	ditto.
Skelmersdale Local Board - - -	17,770	50	4	ditto.
Southampton Urban Sanitary Authority -	3,740	30	3½	ditto.
Southborough Local Board - - -	3,000	50	4	ditto.
Ditto - ditto - - - -	3,000	30	3½	ditto.
Spittlegate, Houghton, and Walton Local Board.	1,500	30	3½	ditto.
Stocksbridge Local Board - - -	230	30	3½	ditto.
Sunderland Rural Sanitary Authority -	1,900	30	3½	ditto.
Swinton and Pendlebury Local Board -	3,800	30	3½	ditto.
Ditto - - - ditto - -	1,200	21	3½	ditto.
Taunton Urban Sanitary Authority - -	32,000	30	3½	ditto.
Thetford Town Council - - - -	400	30	3½	ditto.
Tonbridge Rural Sanitary Authority -	1,000	25	3½	ditto.
Tong Street Local Board - - - -	3,384	50	4	ditto.
Torquay Local Board of Health - -	20,000	30	3½	ditto.
Tregaron Rural Sanitary Authority - -	1,000	30	3½	ditto.
Tring Local Board - - - - -	1,000	30	3½	ditto.
Tynemouth Rural Sanitary Authority -	2,950	30	3½	ditto.
Wallasey Local Board - - - - -	2,500	30	3½	ditto.
Walthamstow Local Board - - -	22,209	30	3½	ditto.
Ditto - ditto - - - -	26,000	50	4	ditto.
Walton-on-the-Hill Local Board - -	5,000	50	4	ditto.
Ware Rural Sanitary Authority - -	500	30	3½	ditto.
Warwick Town Council - - - -	6,318	50	4	ditto.
Wellingborough Local Board - - -	4,000	30	3½	ditto.
West Hempnett Rural Sanitary Authority -	800	30	3½	ditto.
West Kent Main Sewage Board - -	60,000	50	4	ditto.
Whickham Local Board - - - -	2,000	30	3½	ditto.
Whitehaven Rural Sanitary Authority -	120	20	3½	ditto.
Whitley and Monkseaton Local Board -	800	30	3½	ditto.
Whittington Local Board - - - -	11,750	30	3½	ditto.
Wincanton Rural Sanitary Authority -	3,500	30	3½	ditto.
Winchester Town Council - - -	28,500	50	4	ditto.
Ditto - ditto - - - -	4,000	20	3½	ditto.
Winsford Local Board - - - - -	4,000	30	3½	ditto.
Wisbech and Walsoken Local Board of Health.	1,250	50	4	ditto.
Witney Rural Sanitary Authority - -	250	30	3½	ditto.
Wrexham Rural Sanitary Authority - -	1,522	30	3½	ditto.
TOTAL - - - £.	981,867			

APPENDIX (D.)—*continued.*

UNDER the ARTIZANS and LABOURERS DWELLINGS IMPROVEMENT ACT, 1875.

LOCAL AUTHORITIES.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Birmingham Urban Sanitary Authority -	1,000,000	30	3½	Rates.
Liverpool Urban Sanitary Authority -	50,000	40	3¾	ditto.
Wolverhampton Urban Sanitary Authority	25,000	50	4	Rates and property.
TOTAL - - - £.	1,075,000			

LOANS to LOCAL BOARDS and other AUTHORITIES under the PUBLIC HEALTH ACT, but not under Recommendations by the LOCAL GOVERNMENT BOARD.

BORROWING AUTHORITIES.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Broughton Local Board (for steam stone breaker).	200	5	5	Rates.
Harborne Local Board (for works of kerbing and channelling).	1,170	20	5	ditto.
Levenshulme Local Board (for sewering the main highway and enlarging the outlet of existing culvert).	1,000	20	5	ditto.
Monk Bretton Local Board (for erecting a board-room and furnishing same, widening a road in the township called Mill-lane, and flagging certain parts of the township).	642	20	5	ditto.
Whitehaven Rural Sanitary Authority (for water supply).	1,500	7	5	ditto.
TOTAL - - - £.	4,512			

APPENDIX (D.)—*continued.*

LOANS to PAROCHIAL BOARDS, POLICE COMMISSIONERS, and other BORROWING AUTHORITIES in *Scotland.*

BORROWING AUTHORITIES.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Alva Police Commissioners	3,000	50	4	Assessments under Sanitary Acts (Scotland).
Burntisland Town Council	25,000	50	4	ditto
Callander Local Authority	1,000	40	3¾	ditto
Carluke Local Authority	1,400	40	3¾	ditto
Craig (Parish) Local Authority	400	30	3½	ditto
Duffus Local Authority	3,600	50	4	ditto
Dundonald Local Authority	12,000	50	4	ditto
Dunoon (Burgh) Local Authority	5,020	50	4	ditto
Elgin Police Commissioners	2,360	50	4	ditto
Fala and Soutra Local Authority	200	30	3½	ditto
Galashiels Local Authority	40,000	50	4	ditto
Irvine Local Authority	12,000	50	4	ditto
Kilmalcolm Local Authority	3,300	50	4	ditto
Kingussie Police Commissioners	400	35	3¾	ditto
Kirriemuir Local Authority	4,500	50	4	ditto
Largs Local Authority	10,000	50	4	ditto
Lochbroom Local Authority	200	50	4	ditto
Mochrum Local Authority	500	20	3½	ditto
Newburgh Local Authority	2,000	30	3½	ditto
New Cumnock Local Authority	3,000	50	4	ditto
Paisley Local Authority	8,500	50	4	ditto
Port Glasgow Police Commissioners	15,330	50	4	ditto
Selkirk Police Commissioners	1,200	30	3½	ditto
Tulliallan Parochial Board	161	20	5	ditto
Wemyss Local Authority	20,000	50	4	ditto
TOTAL £.	175,071			

APPENDIX (D.)—*continued.*

LOANS to BURIAL BOARDS in *England* and *Wales.*

Name of Parish or other Place for which the Burial Board applying for a Loan has been appointed.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Amble	2,200	20	5	Poor Rates.
Clee	5,300	20	5	- ditto.
Dronfield	2,500	20	5	- ditto.
Eckington	800	20	5	- ditto.
Llandstadwell	700	20	5	- ditto.
Market Harborough	3,000	30	5	- ditto.
Shipdham	500	20	5	- ditto.
Snydale	2,500	20	5	- ditto.
St. Paul's, Winlaton	1,650	20	5	- ditto.
Wickham Market	200	20	5	- ditto.
TOTAL £.	19,350			

UNDER the POOR LAW AMENDMENT ACTS.

BORROWER.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Aysgarth Union	1,000	30	5	Poor Rates.
Barnsley Union	3,400	20	5	- ditto.
Tonbridge Union	650	20	5	- ditto.
TOTAL £.	5,050			

UNDER the LABOURING CLASSES' DWELLING HOUSES ACT, 1866.

BORROWER.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Improved Industrial Dwellings Company (Limited).	11,000	40	4	Land and Buildings.
London Labourers' Dwellings Society	6,921	35	4	- - ditto.
Metropolitan Association for Improving the Dwellings of the Industrious Classes.	6,000	40	4	- - ditto.
Victoria Dwellings Association (Limited)	29,000	40	4	- - ditto.
TOTAL £.	52,921			

APPENDIX (D.)—*continued.*

UNDER 31 & 32 VICT. Chapter 81.

BORROWER.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Portpatrick Railway Company - - -	13,300	35	3½	The railway and undertaking, tolls, &c.

UNDER the HARBOURS and PASSING TOLLS, &c. ACT, 1861.

HARBOUR AUTHORITY.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Eyemouth Harbour - - - - -	1,200	40	3¼	Harbour revenue.
Falmouth Harbour - - - - -	2,000	50	3¼	- ditto.
Macduff Harbour - - - - -	5,000	50	3¼	- ditto.
Peterhead Harbour - - - - -	30,000	50	3¼	- ditto.
TOTAL - - - - £.	38,200			

HARBOURS not under the HARBOURS and PASSING TOLLS, &c. ACT, 1861.

HARBOUR AUTHORITY.	Amount of Loan.	Number of Years for Repayment by Annual Instalments.	Rate of Interest per Cent. per Annum.	Security for Repayment.
	£.			
Borrowstounness Harbour - - -	4,000	20	5	Harbour property and revenue.
Ditto - ditto - - - -	10,000	20	5	- ditto.
TOTAL - - - £.	14,000			

APPENDIX (E.)

APPLICATIONS for LOANS Refused to be Granted.

APPLICANT.	Amount applied for.	Purpose.	Amount Refused to be Granted.
	£.		£.
Aberbrothwick Harbour	12,000	Dock	12,000
Alverthorpe-with-Thornes School Board	2,690	School	25
Aysgarth Rural Sanitary Authority	240	Water supply	40
Ashton-under-Lyne Conservative Land and Building Company (Limited).	3,000	Labourers' dwellings	3,000
Banchory Ternan School Board	3,000	School	549
Basford School Board	9,562	ditto	15
Borrowstounness Harbour	30,000	Harbour works	16,000
Bromyard Rural Sanitary Authority	2,400	Sewerage and water supply.	2,400
Callander Local Authority	4,200	Waterworks and payment of debt.	3,200
Carluke Local Authority	2,200	Sewerage and drainage	800
Chellaston School Board	2,137	School	37
Chilton School Board	6,500	ditto	280
Colan School Board	40	ditto	40
Deal Pier	7,000	Towards cost of pier	7,000
Dunoon (Burgh) Local Authority	30,000	Payment of debt and works of water supply and drainage.	24,980
East Grinstead School Board	630	School	30
Elgin and Lossiemouth Harbour Company	12,600	Consolidation of mortgage debt.	12,600
Eyemouth Harbour	2,000	Harbour works	800
Fala and Soutra Local Authority	220	Water supply	20
Greasley School Board	7,395	School	600
Great Totham School Board	190	ditto	31
Greenlaw School Board	1,500	ditto	30
Hollingbourne Rural Sanitary Authority	3,600	Sewerage and water supply.	2,100
Kingussie Police Commissioners	500	Waterworks	100
Llandudno Piers Landing Stage Company	7,500	Completing pier, &c.	7,500
Llanfihangel-ar-Arth School Board	900	School	30
Llangendeirne School Board	880	ditto	180
Llanguicke School Board	1,000	ditto	77
Llannor School Board	200	ditto	35
Llanrwst School Board	470	ditto	20
Long Benton School Board	7,300	ditto	980
Macduff Harbour	9,000	For harbour works	4,000
Manuden School Board	50	School	15
Michelmersh School Board	500	ditto	84
Moulton School Board	1,200	ditto	90
Nantwich Local Board	800	Sewerage and water supply.	195
Newport School Board	500	School	50
Ovenden School Board	1,300	ditto	300
Paisley Local Authority	13,000	Hospital	4,500
Port Glasgow Police Commissioners	29,000	Waterworks and payment of debt.	13,670
Riby School Board	73	School	73
Sherford School Board	560	ditto	60
Stanhope School Board	421	To pay for additional expenses in providing schools.	21
Stratford School Board	1,000	School	14
Swansea Harbour Commissioners	200,000	Construction of a dock	200,000
Tees Conservancy Commissioners	50,000	For harbour works	50,000
Tudhoe School Board	13,932	School	100
Tyrie School Board	330	ditto	30
Verwick School Board	536	ditto	36
Whittington Local Board	14,000	Sewerage	2,250
Wincanton Rural Sanitary Authority	3,500	ditto	500
Woolhope School Board	1,435	School	100

APPENDIX (F).

DETAIL of 3,289,293*l.* 9*s.* 9*d.* referred to in Appendix (A.), page 10.

WORKS.	PRINCIPAL.				Total Advanced.
	Repaid in Full.	Repaid in Part.	Remitted and Transferred.	Irrecoverable.	
GREAT BRITAIN:	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Colleges	108,000 – –	– –	– – –	– –	108,000 – –
Collieries	– –	299,877 3 4	– – –	3,822 16 8	303,700 – –
Compensation for damage during Riots.	80,750 – –	– –	– – –	– –	80,750 – –
Emigration	18,260 – –	– –	– – –	– –	18,260 – –
Fisheries	– –	33,036 18 6	– – –	663 1 6	33,700 – –
Railways	– –	469,987 10 6	– – –	20,612 9 6	490,600 – –
Relief of Parishes	2,700 – –	– –	– – –	– –	2,700 – –
Thames Tunnel	– –	100,000 – –	150,500 – – (Remitted.)	– –	250,500 – –
Waterworks	137,000 – –	– –	– – –	– –	137,000 – –
South Wales Turnpike Trusts	215,241 7 0	– –	– – –	– –	215,241 7 1
IRELAND:					
Law Courts, &c.	40,550 – –	– –	– – –	– –	40,550 – –
Union Workhouses	– –	52,145 4 –	47,268 – – (Remitted.) *1,323,266 16 – Transferred under Act 13 Vict. c. 14, for collection in Ireland, by Paymaster of Civil Services.	– –	1,422,680 – –
Ulster Canal	– –	– –	120,000 – – Transferred to Account of Public Works Commissioners in Ireland.	– –	120,000 – –
£.	602,501 7 1	955,046 16 4	1,641,034 16 –	25,098 7 8	3,223,681 7 1
Surplus Issues not required:—					
Labouring Classes Dwellings Fund					330 – –
Manufacturing Districts Fund, 30th October 1869					985 – –
Railways (Ireland) Temporary Advances Fund, 11th February 1869					9,200 – –
Forged Exchequer Bill, 1824					14,600 – –
Offices Expenses, 1842 to 1854					41,097 2 8
				£.	3,289,293 0 9

* Subsequently remitted under the Act 16 & 17 Vict. c. 75.

SLAVE TRADE. No. 4 (1878).

ANNUAL REPORT

OF THE

COMMANDER-IN-CHIEF IN THE EAST INDIES

ON THE

SLAVE TRADE.

Presented to both Houses of Parliament by Command of Her Majesty.
1878.

LONDON:
PRINTED BY HARRISON AND SONS

[C.—2140.] *Price* 1*d.*

Annual Report of the Commander-in-chief in the East Indies on the Slave Trade.

The Secretary to the Admiralty to Sir J. Pauncefote.—(Received July 24.)

Sir, *Admiralty, July 23, 1878.*

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the Annual Report of the Commander-in-chief in the East Indies on the Slave Trade on that Station.

I am, &c.

(Signed) THOS. WOLLEY.

Inclosure 1.

Rear-Admiral Corbett to the Secretary to the Admiralty.

Sir, *"Undaunted," at Aden, June 28, 1878.*

I HAVE the honour to request you will lay before the Lords Commissioners of the Admiralty the following Report on the Slave Trade on the East Indies Station during the year ended 28th May, 1878.

2. The following table of comparison of the number of vessels captured and condemned, and the number of slaves released this year, with the results of last year's work, will show a manifest diminution in the Slave Traffic on the East Coast of Africa :—

Year ended—	No. of Vessels Condemned.	Gross Tonnage of Condemned Vessels.	No. of Slaves liberated.	No. of Fugitive Slave afforded Protection.
May 28, 1877	27	2,760·28	438	9
May 28, 1878	15	1,719·94	60	6
Decrease in 12 months ..	12	1,041·34	378	3

3. Her Majesty's ships have been employed on the East Coast as follows :—

Ship.	From—	To—	
London	May 28, 1877 ..	May 28, 1878 ..	Stationary at Zanzibar.
Diamond	„ 28, „ ..	August 18, 1877 ..	
Flying Fish	„ 28, „ ..	November 4, 1877 ..	
Lynx	„ 28, „ ..	April 15, 1878 ..	
Vulture	„ 28, „ ..	May 28, 1878 ..	
Vestal	October 28, 1877 ..	„ 28, „ ..	
Spartan	August 11, 1877 ..	March 25, 1878 ..	
Fawn	May 28, 1877 ..	February 21, 1878 ..	Surveying vessel.

4. These vessels have been constantly on the watch for suspicious dhows cruizing up and down the coast-line and between the mainland of Africa and the Island of Madagascar,

and their efforts have met with so much success in paralyzing the sea-traffic in slaves, that I have been able to reduce the number of vessels employed on that coast to two, besides the "London" and her boats.

5. I am indebted to Captain Sulivan, of Her Majesty's ship "London," the Senior Naval Officer on the East Coast of Africa, for the following Report on the state of the Slave Traffic in the neighbourhood of Zanzibar during the half-year ended 31st December last. He says:—

"I have great pleasure in informing you that there is a very sensible decrease in the number of slaves conveyed by sea in contravention of existing Treaties. During the last six months only 19 slaves have been captured and freed in the Vice-Admiralty Court at this port, while in the previous half-year the number liberated was 263. In the half of last year corresponding with this, 118 slaves were emancipated.

"From information obtained from the officers in charge of the blockading boats at Pemba and other sources, it appears to me that the transport of slaves by sea is being rapidly crushed out; for where, a couple of years since, the computed average number of slaves introduced into Pemba amounted to 1,000 a month, I cannot now account for more than 800 having been landed during the last six months.

"In the fourth paragraph of my last Report on the Slave Trade, I stated my opinion that the number of slaves brought to the coast during the period embraced in the Report was the result of orders given previous to the issue of the Sultan's Proclamations. This seems to be confirmed; and there now appears little doubt but that the issue of these Proclamations, and the action taken by the Sultan in this neighbourhood, combined with the blockade of Pemba by the boats of this ship, have resulted in the stoppage of the Slave Trade to an extent little anticipated in such a short time.

"About 240 slaves have been seized by the Sultan's soldiers during the last six months, the slaves freed, and the Arab owners punished. From inquiries made by Dr. Kirk, Her Majesty's Consul-General, of these Arabs, caravans of about twenty to forty each, amounting in all to about 250 slaves, only could be heard of as being brought to the coast. On the other hand, information was obtained that slaves which had been sent down by one of the Nyassa Chiefs were being taken back, no market being found for them. Reliable information of the Slave Traffic on this route has been obtained from Mr. Beardall, a member of the Universities' Mission, who a short time ago visited M'taka, one of the Nyassa Chiefs. In his journey there and back he only heard of two or three small caravans; the numbers in all, he does not consider, exceeded 200. I think it is not improbable that some of the slaves captured by the Sultan's people formed a part of the caravans seen by Mr. Beardall.

"For a long time it has been the habit of the Dewans of Kilwa to levy black-mail on ivory and other articles for trade sent down by inland Chiefs. This black-mail, which, in some instances, amounted to 50 per cent., the Sultan has put a stop to, imposing a tax of only 5 per cent., and warning the Chiefs against slaves being sent down for sale, as they would be freed and all ivory or any other article brought down by them would be confiscated."

6. I am glad to be able to supplement Captain Sulivan's remarks on the beneficial influence exerted by the Sultan of Zanzibar over the slave-dealers in his territory, by the fact that between the 1st January and 30th May last only four dhows have been found guilty of Slave Traffic in the neighbourhood of the Sultan's dominions.

7. The traffic in slaves between Mozambique and Madagascar still continues, though the Emancipation Edict of the Queen of Madagascar has to a large extent diminished the numbers introduced into that island. It is reported that purchasers could not be found for a cargo of slaves who had been landed on the coast of Madagascar. If the Hova Government had only power to enforce its will over the whole island, the Slave Trade in that region would doubtless disappear. The Hova Government appears to be acting with an honest intention to put a stop to the Traffic, and deserves every encouragement.

8. The efforts of Her Majesty's ships, to check the transit of slaves across the Mozambique Channel have resulted in some captures, but the cordial and active co-operation with them of the Portuguese authorities on the one side and the French on the other would be a valuable assistance.

9. It is true that numerous dhows bearing the French flag pass between the Island of Nossi Bé and the mainland of Africa, and extend their cruizing to many places both on the mainland and in Madagascar, where they are under no supervision. Without imputing to these dhows any participation in the conveyance of slaves between intermediate ports, it is to be regretted that French vessels of war only occasionally visit that part of the station, where one ship might be constantly employed in overhauling dhows and boats carrying the French flag.

10. On the 18th of last month I had the pleasure of meeting the Captain of the French man-of-war "Fabert" (Senior Officer on the East India Station) at Aden, bound to Réunion and Nossi Bé. He was kind enough to assure me of the earnest desire of his Government to put a stop to the Slave Trade in the neighbourhood of their possessions, and I trust that his appearance off the coast of Madagascar may not be without effect in overhauling some of the coasting dhows.

11. With regard to the Slave Trade in the Red Sea, I may inform their Lordships that Her Majesty's ships "Diamond" and "Wild Swan" have been actively employed since the 1st January last in watching the Egyptian coasts, with the success, on the part of the "Wild Swan," of securing a buggalow containing 78 slaves (boys and girls). This capture has had a good effect generally, and the frequent presence of the two ships off the districts whence slaves have been usually shipped has had a deterrent influence on the Traffic. As I have only recently reported, in my letter dated the 20th April last, on this subject, I beg leave to refer their Lordships to that letter, and previous interesting reports from the officers commanding the "Diamond" and "Wild Swan."

12. The Persian Gulf has been peculiarly free from sea Traffic in Slaves, so far as can be ascertained.

13. I inclose a tabulated statement of the dhows captured during the year now ended, including those condemned.

14. Before concluding my Report, I desire to bring to their Lordships' notice the very praiseworthy zeal and watchfulness displayed by the captains, officers, and crews of Her Majesty's ships who have been employed in the suppression of the Slave Trade on this station.

I have, &c.
(Signed) JOHN CORBETT.

Inclosure 2.

VESSELS Captured or Detained on the ground of being engaged in the Slave Trade by Her Majesty's Ships on the East India Station, under the command of Rear-Admiral John Corbett, C.B., Commander-in-chief.

Name and Description of Captured Vessel.	Flag under which Captured Vessel was Sailing.	Names of Masters and Owners of Captured Vessel.	No. of Crew.	Date of Seizure.	Where Captured.	Name, Rank, and Ship of Capturing Officer.	No. of Slaves			Tonnage of Captured Vessel.	Before what Court Adjudicated, and on what Charge.	Decretal part of Sentence.	How Captured Vessel was Disposed of.	Remarks.
							Captured.	Died before Adjudication.	Emancipated.					
Dhow, "Fatalaperi" ...	None ...	Heri; Abdallah Usini ...	1	1877 Apr. 20	Melinda	Commander Ommanney, H.M.S. "Lynx."	...	...	...	132·74	Zanzibar. Slave Trade.	Condemned	Destroyed ...	Slave irons on board.
Dhow, "Downie" ...	Arab ...	Heri, Slair Anudi	19	,, 24	Ditto	Ditto	...	...	...	153·28	Ditto	Ditto	Ditto	Ditto.
Dhow, name unknown ...	None ...	Unknown	Not known	May 3	Jungoo Island, Pemba ...	Captain Sullivan, H.M.S. "London."	33	...	33	145·31	Ditto	Ditto	Ditto	Slaves found in the jungle near to the beached vessel.
Dhow, "Malrook" ...	Arab ...	Amisi; Birwan	15	,, 16	Off Ras N'dege	Commander Ommanney, H.M.S. "Lynx."	...	...	...	95·17	Ditto	Ditto	... ...	Slave irons concealed on board.
Dhow, "Mamboosassa" ...	English ...	Ali bin Macaucey; Mamoo in Maridgee.	13	,, 22	Ditto	Ditto	1	...	1	98·05	Ditto	Ditto	Destroyed.	
Dhow, "M'Swaki" ...	Ditto ...	Atibo bin Mahomet; Nasir Abdakeman.	9	,, 22	Ditto	Ditto	...	...	...	40	Ditto	Restitution	Released.	
Dhow, "Lehindee" ...	Ditto ...	Mafta buna Sumani; Nagidi bin Mahiti.	11	,, 26	Off Kilwa Kiongi, Mozambique.	Ditto	2	...	2	90·27	Ditto	Condemned	Destroyed.	
Dhow, "Multafia" ...	Arab ...	Sabani; Saidi bin Abdallah	3	,, 27	Ditto	Ditto	...	...	...	70	Ditto	Ditto	Ditto.	
Dhow, "Summah" ...	Ditto ...	Salsite; Salsite	10	June 14	Ras-el-Had	Commander Wodehouse, H.M.S. "Teazer."	...	...	...	40	Muscat. Slave Trade.	Restitution	Released.	
Dhow, name unknown ...	Zanzibar ...	Ufungu; Saif bin Musaoud	Not known	May 3	Pemba	Captain Sullivan, H.M.S. "London."	1	...	1	Not known	Zanzibar. Slave Trade.	Ditto	Ditto	Slave freed.
Ditto	None ...	Unknown	Ditto ...	June 23	George's Gap, Pemba ...	Ditto	16	...	16	74·37	Ditto	Condemned	Destroyed.	
Ditto	Ditto ...	Ditto	Ditto ...	July 8	Mesurka, Pemba	Ditto	...	...	...	85·61	Ditto	Ditto	Ditto.	
Ditto	Arab ...	Smilie; Zabord, Musc ...	Ditto ...	,, 13	Tanga	Ditto	...	...	...	58·16	Ditto	Ditto	Ditto.	
Ditto	None ...	Unknown	Ditto ...	,, 13	Tangata	Ditto	...	...	...	50·77	Ditto	Ditto	Ditto.	
Slaves	...	Ditto	...	,, 6-7	Jungoo Island, Pemba ...	Ditto	5	...	...	...	Ditto	Slaves freed	... ...	Slaves found wandering in the jungle.
Dhow, name unknown ...	None ...	Aidi Hamadi Salem bin Hamadi.	4	,, 26	Foondoo Island, Pemba ...	Ditto	...	...	...	49·91	Ditto	Condemned	Destroyed.	
Dhow, "Mahruki" ...	Arab ...	Amir bin Saeed; Thalfan bin Fakir.	Not known	Aug. 28	Port Cockburn, Pemba ...	Ditto	...	...	...	58·87	Ditto	Ditto	Ditto.	
Dhow, name unknown ...	None ...	Unknown	Ditto	Sept. 6	Off Monganjani, mainland of Africa.	Ditto	8	...	8	34·29	Ditto	Restitution	Dhow released.	
Batcel, "Feth-el-Kerim"	Arab ...	Ahmed bin Saeed; Tubarak-on-Awwel.	18	,, 5	Ras-el-Had	Commander Tandy, H.M.S. "Daphne."	...	...	...	93·75	Muscat. Slave Trade.	Ditto	Ditto.	
Dhow, "Ukaid" ...	Zanzibar ...	Unknown; Balcera Malini Sale.	...	,, 6	Mjenjani, East Coast of Africa.	Captain Sullivan, H.M.S. "London."	...	...	...	107·83	Zanzibar. Slave Trade.	Condemned	Destroyed.	
Dhow, "Mambo-kwa-mengu."	None ...	Shali; Hawazi, of Tanga ...	3	,, 22	Off Tanga, East Coast of Africa.	Ditto	2	...	2	25·85	Ditto	Ditto	Ditto.	
Dhow, name unknown ...	Ditto ...	Abdallah; Jumani bin Salman.	6	,, 22	Quali, near Tanga, East Coast of Africa.	Ditto	...	...	...	60·71	Ditto	Ditto	Ditto.	
Ditto	Ditto ...	Suadi; Hamadi, of Pangani	...	,, 29	Pangani, East Coast of Africa.	Ditto	...	...	...	34·29	Ditto	Ditto	Ditto.	
Ditto	Ditto ...	Unknown; Jairam Sanje ...	4	Nov. 30	Mkoto'oni, Zanzibar ...	Ditto	2	...	2	Not known	Ditto	Restitution	Released.	
Ditto	Ditto ...	Unknown	4	Nov. 17	Brisk Island, Pemba ...	Ditto	2	...	2	91 85	Ditto	Condemned	Destroyed.	
Ditto	Ditto ...	Unknown; Sheeref M'tendy Hulwa.	...	Dec. 21	Mantyruno	Captain Tracey, H.M.S. "Spartan."	...	...	...	135	Ditto	Ditto	Ditto.	
Dhow, "Bega"	English ...	Damugu; Jetha Gopalji ...	6	1878 Jan. 14	Zanzibar Channel	Commander Selby, H.M.S. "Vestal."	1	...	1	30·60	Ditto	Restitution	Released.	
Slaves	...	... ...	...	Jan. 11	Zanzibar, town of	Captain Sullivan, H.M.S. "London."	6	...	6	...	Zanzibar	... ...	Slaves freed ...	Imported from Bagamoyo, mainland of Africa.
Ditto	...	... ...	...	,, 24	Ditto	Ditto	1	...	1	...	Ditto	... ...	Ditto	Ditto.
Dhow, "Feth-el-Kair" ...	Arab ...	Muhomed bin Rashid; Abdallah bin Rashid.	23	Mar. 3	Off Ras N'dege	Commander Ommanney, H.M.S. "Lynx."	...	...	...	201·79	Zanzibar. Slave Trade.	Condemned	Destroyed	Slave iron on board.

Vessels Captured or Detained on ground of being engaged in Slave Trade, &c.—*continued.*

Name and Description of Captured Vessel.	Flag under which Captured Vessel was Sailing.	Names of Masters and Owners of Captured Vessel.	No. of Crew.	Date of Seizure.	Where Captured.	Name, Rank, and Ship of Capturing Officer.	No. of Slaves			Tonnage of Captured Vessel.	Before what Court Adjudicated, and on what Charge.	Decretal part of Sentence.	How Captured Vessel was Disposed of.	Remarks.
							Captured.	Died before Adjudication.	Emancipated.					
Dhow, "Fath-el-Kair" ...	Arab ...	Joummah; Fakah	11	1873. Feb. 19	Villamatza, Madagascar ...	Commander Selby, H.M.S. "Vestal."	2	...	...	97·734	Zanzibar. Slave Trade.	Restitution	Destroyed... ...	Slaves escaped.
Dhow, "Mambo-kwa-Munga."	English ...	Madiariva; Abdallah-Sall-Jeffargi.	...	Apr. 8	Pemba	Captain Sullivan, H.M.S. "London."	...	...	...	52	Ditto	Ditto	Released.	
Slaves	...	... ...	...	Mar. 28	Ditto	Ditto	15	...	11	...	...	... ...	... ...	Four not condemned.
Dhow, "Mambo-kwa-Munga."	English ...	Ama; Nasur Dosa	...	Apr. 18	Ditto	Ditto	4	...	4	74	Zanzibar. Slave Trade.	Condemned	Destroyed.	
Dhow, "Mabruk" ...	Ditto ...	Rhamis; Ghelah Rheunnel	...	„ 15	Ditto	Ditto	1	...	1	25	Ditto	Ditto	Ditto.	

JOHN CORBETT, *Rear-Admiral, Commander-in-chief.*

SLAVE TRADE. No. 4 (1878).

ANNUAL REPORT of the Commander-in-chief in the East Indies on the Slave Trade.

Presented to both Houses of Parliament by Command of Her Majesty. 1878.

LONDON:
PRINTED BY HARRISON AND SONS.

BOMBAY BRANCH
OF THE
Royal Asiatic Society.
CLASS

REPORT

OF THE

BOARD OF VISITORS

APPOINTED BY WAR OFFICE LETTER,

FOR THE INSPECTION OF

THE ROYAL MILITARY COLLEGE, SANDHURST.

In the Year 1877.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

[C.—2063.] *Price* 2½*d.* 1878.

Report of the Board of Visitors appointed by War Office letter for the Inspection of the Royal Military College, Sandhurst, in the year 1877.

The government of the Royal Military College was conducted, until a recent date, under the instructions contained in Royal Warrants, dated respectively the 27th May 1808, and the 1st October 1858, in which provision was made for the supervision of the Establishment by certain Commissioners.

By a Royal Warrant of the 17th February 1876 these Commissioners were abolished, and new regulations were issued in General Orders 88, of 1876, for the government, organisation, &c. of the College, and in which it was directed (clause IV. para. 32) "that an independent inspection by a Board of Visitors appointed by the Secretary of State for War, and reporting to him, will be made once a year."

The Royal Military College is maintained for the purpose of affording a special Military Education to Candidates for Commissions in the Cavalry and Infantry; and all Candidates for these services will, with the exception of Lieutenants of Militia and Non-commissioned Officers recommended for promotion, be required to pass through a course of instruction as Cadets at this College.

The Board of Visitors, whose names are appended to this Report, made their inspection of the Establishment on the 14th November 1877. They had the advantage of conferring freely with the Governor, with the Commandant, as well as with the Officers, Professors, and Instructors, from whom much valuable information was obtained, on points of detail connected with working of the Establishment.

The Board inspected the different buildings appropriated for halls of study, for recreation, for mess purposes, and for the personal accommodation of the Cadets, and they were pleased to find that arrangements were in progress for providing each Cadet with a separate apartment instead of adhering to the old custom of placing three or more in one room.

Government.

This appears to the Visitors to be conducted strictly in accordance with the regulations promulgated to that effect in General Orders, of which a copy, marked A, is annexed, and reflects great credit on the Governor, General Napier, and the officers under his direction.

The Governor reports favourably on the valuable assistance he receives from the Commandant, from the Staff Officers, and from the Professors and Instructors of the Establishment.

The Commandant has charge of the general correspondence of the Institution as well of the discipline and studies of the Cadets. He superintends generally their drills and military exercise, which are conducted according to the regulations of the College, the orders of the Governor, and the regulations of the Army.

Officers in charge of Divisions.

The Cadets are distributed into divisions, each of which is in charge of an officer, who has to reside in the College, mess with his division, and to be responsible in every respect for the discipline of the Cadets under his charge.

Professors and Instructors.

The Professors of each particular study have the general supervision of the Instructors, and are responsible for the due instruction of the Cadets in their several branches, and also for their discipline during the hours of study. They have the power of ordering Cadets out of study for any offence, and of not allowing them to resume their studies until their cases have been disposed of by the Commandant.

Messing.

The messing of the Cadets is managed by a Committee composed of the Commandant as President, one Divisional Officer, and one Cadet Under Officer, of each mess, as members.

The rate of messing is fixed by this Committee, approved by the Governor, and the provisions are obtained by contract sanctioned by the Governor.

The Board of Visitors inspected the messes, the dinners ordered for the day, and also the registry of dinners provided for the previous month, and they considered the messing to be good and of ample quantity.

The Board's attention was drawn to the want of proper ventilation in the front rooms of the basement of the main front of the building, and it was suggested that the wall of the front area should be removed, and the ground sloped away in the same manner as in the back area.

The Board was informed that authority had been given for the erection of married quarters, in order to release that portion of the basement of its inmates; and therefore, as these rooms would be *unoccupied*, the Board consider it unnecessary to incur the expense of removing the front wall and sloping off the ground, as suggested.

The Visitors, in conclusion, have to report their opinion that the new regulations for the College have been carried out with great care and attention by the Governor, the Commandant, and Staff, and that the Cadets have conformed to them in a gentlemanlike and agreeable spirit.

The Board of Visitors append :—

A. The regulations of the College.
B. A synopsis of the course of instruction.
C. A time table.
D. Study table.
E. Return of Officers and Instructors.

AIREY, *General.*
FRED. G. CHAPMAN, *General.*
PIERS C. CLAUGHTON, *Bishop, C.G.*
H. S. MAINE.
J. W. FITZMAYER, *General, Royal Artillery.*
WM. DEEDES.

A.

REGULATIONS respecting EXAMINATIONS for ADMISSION to the ROYAL MILITARY COLLEGE, and for First Appointments therefrom to the Army.

[*These Regulations will come into force on the 1st December* 1876.]

I.—OBJECT OF THE ROYAL MILITARY COLLEGE.

1. The Royal Military College is maintained for the purpose of affording a special Military Education to Candidates for commissions in the Cavalry and Infantry.

2. Candidates for First Appointments to the Army will, with the exception of Lieutenants of Militia and Non-commissioned Officers recommended for promotion, be required in future to pass through a course of instruction as Cadets at the Royal Military College.

II.—REGULATIONS FOR ADMISSION.

1. *General Instructions.*

3. Admission to the Royal Military College as Cadets will be granted,—

(*a.*) To a successful Candidate at a Competitive Examination in general subjects, to be held under such Regulations as may be issued from time to time.

(*b.*) To a Graduate in Arts at the Universities of Oxford, Cambridge, Durham, London, Dublin, Edinburgh, St. Andrew's, Glasgow, Aberdeen, and the Queen's University, Ireland, or to a Student who has passed "Moderations" at Oxford, the "Previous Examination" at Cambridge, the "Final Examination of the Senior Freshman year" at Dublin, "the first year's Examination" at Durham, "the first University Examination in Arts or in Engineering" at Queen's University, Ireland, the "Examination for Candidates for the Army" at Scotch Universities, and the "First Examination" for the degrees of B.A., LL.B., B.Sc., or M.B., at London University; subject in each case to the competitive examination prescribed by paragraph 22.

(*c.*) To Cadets styled "Queen's Cadets"; "Honorary Queen's Cadets"; "Indian Cadets"; and to Pages of Honour.

4. The number of Cadets admitted to the College will vary, according to the requirements of the Service.

5. The dates of admission will be the 10th February and 1st September in each year.

6. The Examinations of Candidates for admission to the Royal Military College as Cadets will be conducted by the Civil Service Commissioners, and will take place twice a-year, in the months of December and July.

7. Notice will be given from time to time of the day and place of the Examinations, and of the number of vacancies open to competition at each periodical examination.

8. The number of trials allowed will not exceed two in the case of University Candidates, and three in that of other Candidates.

9. All Candidates will be inspected by a Medical Board; and no Candidate will be considered eligible for a Commission unless certified by the Board to be free from any bodily defects or ailments, and in all respects, as to height and physical qualities, fit for Her Majesty's Service. Cases of exceptional shortness of stature will be referred to the War Office for special consideration.

10. The limits of age for Candidates for admission to the Royal Military College by competition, for Queen's Cadets, Queen's Honorary Cadets, Indian Cadets, and Pages of Honour, will be from 17 to 20; for Students of the Universities who shall have passed the Interim Examination as specified in paragraph 3 (*b*), from 17 to 21; and for Graduates of the Universities who shall have passed the Examination for the degree of B.A. or M.A., from 17 to 22.

11. Competitors who desire to obtain Commissions in West India Regiments may be admitted up to the age of 24. This extension of the limit of age will not apply to University Candidates.

12. Candidates must be within the prescribed limits of age on the following dates:—

Candidates for admission by competition, Queen's Cadets, Queen's Honorary Cadets, Indian Cadets, and Pages of Honour	On the first of January next following the winter Examination, and on the first of July for the Midsummer Examination.
Graduates and Students from the Universities.	As specified in para. 21.

2. *Examination of Candidates for Admission by Open Competition.*

13. A Candidate for admission by Competition at the December or July Examination must send to the Military Secretary, not later than the 15th October or 15th May respectively, an application to be examined, accompanied by the following papers:—

(*a.*) An extract from the register of his birth; or, in default, a declaration made by one of his parents or guardians before a magistrate, giving his exact age.

(*b.*) A Certificate of good moral character, signed by the tutors or heads of the schools or colleges at which he has received his education from his twelfth year to the date of application, or some other satisfactory proof of good moral character.

14. When a Candidate who has once been examined applies to be examined again, he will only be required to forward a Cretificate as to his moral character for the interval between the two Examinations.

15. A Candidate will be required to satisfy the Civil Service Commissioners in the following subjects:—

(1.) Mathematics; viz. (*a*) arithmetic, including vulgar and decimal fractions, proportion, and simple interest; (*b*) geometry, not beyond the standard of the first book of Euclid.

(2.) French, German, or some other modern language; the examination being limited to a translation from the language, and grammatical questions.

(3.) Writing English correctly, and in a good legible hand, from dictation.

(4.) The elements of geometrical drawing; including the construction of scales, and the use of simple mathematical instruments.

(5.) Geography.

16. No marks will be allotted for the above Preliminary Examination, excepting for Geometrical Drawing, the maximum number for which will be 300. The Preliminary Examination will be dispensed with in the case of Candidates who have passed it at previous Examinations, but they may again take up Geometrical Drawing if they wish to obtain marks in that subject.

17. The "further examination" will be proceeded with immediately on the conclusion of the "preliminaty examination." Candidates who fail in the preliminary examination will be informed of their failure as soon as possible, and they will then be released from further attendance.

18. The subjects of the further examination, and the maximum number of marks obtainable for each subject, will be as follows:—

	Marks.
(1.) Mathematics; viz., algebra, up to and including quadratic equations; the theory and use of logarithms; geometry; plane trigonometry; and mensuration	3,000
(2.) English composition, tested by the power of writing an essay, letter, or précis: English literature, limited to specified authors; and English history, limited to certain fixed periods: the authors and periods being notified beforehand	3,000
(3.) Latin	3,000
(4.) Greek	2,000
(5.) French; the examination to be partly colloquial	2,000
(6.) German; the examination to be partly colloquial	2,000

	Marks.
*(7.) Experimental sciences; viz., (*a*) chemistry and heat; or (*b*) electricity and magnetism - - - - -	2,000
(8.) General and physical geography, and geology - - - -	2,000
(9.) Drawing, free-hand - - - -	1,000

Of these nine subjects Candidates will not be allowed to take up more than four nor less than two, exclusive of drawing.

19. In order to secure a proper proficiency in all the subjects taken up by a Candidate, a certain number will be deducted from the marks gained by the Candidate in each subject.

20. The following will be the mode of selecting the successful Candidates at the open competitive Examination. After the proper deduction (in accordance with paragraph 19) has been made from the number of marks gained by each Candidate in the several subjects in which he has been examined, the remainders will be summed up, and the marks gained by the Candidate in Geometrical Drawing at the Preliminary Examination will be added thereto. The resulting total will determine the place of the Candidate in the Competitive List; the successful Candidates being those who stand at the head of the List up to the number of Cadetships competed for.

3. *Examination of University Candidates.*

21. A Graduate or Student of one of the Universities specified in paragraph 3, who, having obtained his University qualification while within the maximum limit of age specified in paragraph 10, is desirous of becoming a Candidate for a Cadetship at the Royal Military College, must send an application to the Military Secretary in the month of May or October, with a view to his appointment under the provisions of paragraph 22; but no such application can be admitted before the Candidate has actually attained the age of 17, nor later than the 31st of May or 31st October next following the date of his attaining the maximum limits of age prescribed for Graduates and Students respectively in paragraph 10. The application must be accompanied by papers (*a*) and (*b*), described in paragraph 13, and by a certificate from the proper authority that he has taken his degree in Arts, or has passed the University Examination specified in paragraph 3 (*b*).

22. Notice will be given from time to time of the number of Cadetships which will be allotted half yearly to University Candidates. In case there should be more Candidates than vacancies, the required number will be selected by competition among the said Candidates at the ensuing July or December Examination, but without a Preliminary Examination, except in Geometrical Drawing, which is obligatory. University Candidates who may have been unsuccessful at their first examination will be allowed a second opportunity of competing, provided that "students" shall not have exceeded their twenty-second year, and that "graduates" shall not have exceeded their twenty-third year, at the time of such second examination. These limits of age will be ruled by the 1st July for the Summer, and by the 1st January for the Winter Examinations.

4. *Examination of Queen's and Indian Cadets and Pages of Honour.*

23. Queen's Cadets are sons of Officers of the Army, Royal Navy, and Royal Marines who have fallen in action, or died of wounds received in action, or of diseases contracted on service abroad, and who have left their families in reduced circumstances. They are appointed by the Secretary of State on the recommendation of the Commander-in-Chief or First Lord of the Admiralty.

24. Honorary Queen's Cadets are sons of Officers of the Army, Royal Navy, and Royal Marines who were killed in action, or who had died of wounds received in action within six months of such wounds having been received, or of illness brought on by fatigue, privation, or exposure incident to active operations in the field before an enemy, within six months after their having been first certified to be ill. (*See* Article 5 of the Royal Warrant of 27th November 1873, clause 151, Army Circulars, 1873.)

25. Applications for Queen's Cadetships and Honorary Queen's Cadetships should be addressed to the Military Secretary if the Candidate is the son of an Officer of the Army, or to the Secretary of the Admiralty if the Candidate is the son of an Officer of the Royal Navy or Royal Marines.

* Subjects (*a*) and (*b*) are alternative: a Candidate will not be allowed to take up both.

26. Indian Cadets are the sons of persons who have served in India in the Military or Civil Service of Her Majesty, or of the East India Company, and are nominated by the Secretary of State for India in Council, under the provisions of 21 & 22 Vict. c. 106. and 23 & 24 Vict. c. 100. Applications for Indian Cadetships should be addressed to the Military Secretary, India Office.

27. A Queen's Cadet, Honorary Queen's Cadet, Indian Cadet, or Page of Honour, when ready for examination, will apply in the manner directed by paragraph 13 or 14.

28. Queen's Cadets, Honorary Queen's Cadets, Indian Cadets, and Pages of Honour, before admission to the Royal Military College, will be required to pass a qualifying Entrance Examination only; *i.e.*, after having passed the Preliminary Examination under paragraph 15, they must obtain under paragraphs 18 and 19 such an aggregate of marks as may indicate, in the judgment of the Civil Service Commissioners, a competent amount of general proficiency.

29. A Queen's Cadet, Honorary Queen's Cadet, Indian Cadet, or Page of Honour, who can produce a University Certificate, as prescribed in paragraph 3 (*b*), will be exempted from the qualifying Entrance Examination described in the preceding paragraph.

III.—Terms of Payment.

30. The terms of payment for Cadets of the Royal Military College are regulated by the following articles of the Royal Warrant of 30th October 1876 (clause 161, Army Circulars, 1876):—

[7.] The payment to be contributed on behalf of a Cadet at Our Royal Military College shall be as follows:—

	Annually. £
Queen's Cadets - - - - -	Nil.
For an Indian Cadet, by special arrangement with the India Office.	
For the son of an Officer of the Army or Navy who has died in the service, and whose family is left in pecuniary distress (subject to the approval of Our Secretary of State) - - - - -	20
For the son of an Officer below the rank of Colonel or Regimental Field Officer in the Army, and Captain or Commander in the Navy, or of an Instructor at the Royal Military Academy or Royal Military College or Staff College - - -	40
For the son of a Colonel or Regimental Field Officer in the Army, or of a Captain or Commander in the Navy, or of a Professor at the Royal Military Academy or Royal Military College or Staff College - -	60
For the son of a General Officer who is not Colonel of a Regiment, or of a Vice or Rear Admiral - - - - -	70
For the son of an Admiral, or of a General Officer who is Colonel of a Regiment, or in receipt of Indian Colonel's allowances -	80
For the son of a private gentleman - -	125

[8.] In determining the rate of payment—

(*a.*) A General Officer on the half-pay of his last regimental commission shall pay in accordance with such regimental rank.

(*b.*) Officers who have sold their commissions shall be regarded as private gentlemen.

(*c.*) Officers on retired full or half pay after 25 years' service, or Officers of less than 25 years' service, if placed on half-pay by reduction of establishment, or on account of ill-health, shall pay in accordance with their last substantive regimental rank. The cases of Officers voluntarily retiring to half-pay before completing 25 years' service shall be specially considered.

(*d.*) Officers of the Departments of Our Army and Navy, according to their relative rank, of the Permanent Staff of the Militia, Adjutants of the Volunteer Force, as well as Officers of Our Indian Military and Naval Forces, shall be treated on the same terms as Military or Naval Officers.

(*e.*) The sons of deceased Officers shall be contributed for in accordance with the forgoing regulations in regard to the rank or classification of their fathers.

(*f.*) Any change which may take place by promotion or retirement in the rank of the father of a Cadet shall be notified to Our Commander-in-Chief, and the contribution paid to the College on account of such Cadet shall be regulated accordingly.

[9.] If a Cadet be absent a whole term in consequence of sickness or rustication, a payment of 10*l.* shall be required for the privilege of his name being kept on the rolls of the establishment, and for a vacancy being kept open at the commencement of the next term.

[10.] In the case of a Cadet who is an orphan, whose annual contribution is only 20*l.*, the amount to be paid when absence extends over a whole term shall be determined by Our Secretary of State.

[11.] The pay of a Cadet shall be 3*s.* a day. It is issued to cover the expenses of regimental clothing, messing, washing, and other contingencies. All other necessary expenses which cannot be covered by his pay shall be chargeable to his parent or guardian in addition to the regulated contribution.

[12.] If a Cadet be absent from sickness, during a portion of the term, his pay shall continue to be issued and credited to his account; but no refund of the contribution shall be permitted.

[13.] If a Cadet be rusticated or removed during a term, his daily pay shall cease from the date on which he is sent away, and the contribution made for the half year shall be forfeited.

[14.] Each Cadet other than a Queen's or India Cadet, on first joining, shall be required to pay, in addition to the regulated contribution, a sum of 25*l.* to cover the expense for uniform, books, &c., and to bring with him the articles of clothing of which he will receive notice, and which must afterwards be kept up at his own expense. He shall also be required to pay the regulated contribution in advance, for each half-year of the time during which he remains under instruction; and a deposit of 5*l.* on account, for contingent expenses, which latter sum he shall be required to make up on returning to the Royal Military College after each vacation, to cover any expense that may be incurred on his account during the ensuing half year.

IV.—Government and Organization.

31. The Commander-in-Chief will be the President of the Royal Military College.

32. An independent inspection by a Board of Visitors, appointed by the Secretary of State for War, and reporting to him, will be made once a year. Such Visitors will not be a permanent body, but will not be all changed at the same time. The Report of this Board will be presented to Parliament.

33. The College will be under the control of a Governor, appointed by and responsible to the Secretary of State for War through the Commander-in-Chief.

34. He will be assisted in the arrangement of the studies by a Board, composed by the Commandant and the Professors or senior Instructors of the different branches. The Head of each branch will have the general power of superintendence and inspection over the studies in his department, with the duty of reporting on them to the Governor.

35. The Governor will be assisted by a Staff Officer, who will be responsible in his temporary absence for the charge of the establishment. This Officer will have the custody of the records and correspondence of the College, and will give the Governor such assistance as he may require.

V.—Discipline.

36. The Cadets will be subject to such rules and regulations as may be from time to time, established for the preservation of good order and discipline.

37. The Governor will have the power of rustication and removal from the College, reporting the circumstances to the Commander-in-Chief.

38. In cases requiring more serious notice, Cadets will be reported by the Governor to the Commander-in-Chief, to be removed from the list of Candidates for commissions.

39. The name of any Cadet expelled for misconduct will be reported by the Commandant of the Commander-in-Chief, who will report the case to the First Lord of the Admiralty, or Secretary of State for India, in order to prevent the Cadet being admitted into Her Majesty's Naval, Military, or

40. The Cadets will be distributed in divisions of not less than 25, each division being under the immediate charge of one of the Professors or Instructors selected by the Governor.

41. The Officers of Divisions will be the channel of communication on all subjects between the Cadets and the Governor. They will reside in the College, and will exercise a strict superintendence over their Divisions, for which they will be responsible to the Governor. They and the unmarried Officers will mess with the Cadets.

42. During the hours of study the Cadets will be under the charge of the Professors and Instructors, to whose orders they will be required to pay implicit obedience.

43. The Cadets will salute all Officers, Professors, and Instructors belonging to the College, whether in or out of uniform, and all other officers when in uniform.

44. The Professors and Instructors will have certain limited powers of punishment, within and without the halls of study, at the discretion of the Governor, to whom they will report all punishments which they may inflict.

45. No Professor or Instructor will be permitted to give private instruction to a Cadet, either during the vacation or at any other time; or be allowed to prepare Candidates for admission to the College.

46. The Cadets will be required to appear at all times in uniform, except when on leave of absence, or when otherwise exempted by the Governor.

47. The study undress may be worn at all times when Cadets are under instruction, with the exception of riding or parade, when they will wear their uniform. The forage cap will be worn with the study undress.

VI.—Course of Instruction.

48. Candidates for first appointments in the Army who are successful in the Examinations specified in the foregoing Regulations will join the Royal Military College as Cadets for one year, to be divided into two terms, during which the course of instruction will last. The College terms will be—

(*a.*) From 10th February to 15th July, with suspension of study during a fortnight at Easter.
(*b.*) From 1st September to 20th December. The intermediate periods will constitute the vacations.

49. The following subjects will form the ordinary course of obligatory studies:—

(*a.*) Queen's Regulations and Orders for the Army; regimental interior economy, accounts, and correspondence.
(*b.*) Military Law.
(*c.*) The elements of Tactics.
(*d.*) Field Fortification, and the elements of Permanent Fortification.
(*e.*) Military Topography, and Reconnaissance.
(*f.*) Infantry and Field Artillery Drill, Riding, and Gymnastics.

VII.—Examinations for Commissions.

50. At the end of the course, the Cadets will be required to pass an Examination in the field and on paper, and those who pass a satisfactory Examination will, as provided in the Royal Warrant of 30th October 1876 (clause 161, Army Circulars, 1876), become entitled to Commissions in the Army as Second Lieutenants, and will be gazetted to Regiments in the order in which they pass.

51. Marks will be allotted to the obligatory subjects in the following proportions:—

Queen's Regulations, &c. &c.	1½
Military Law	2
Elements of Tactics	3
Fortification	3
Military Topography and Reconnaissance	3
Drill, Gymnastics, and Riding (one each)	3

52. In Tactics, Fortification, and Military Topography and Reconnaissance, one-fourth of the marks will be reserved for notes and drawings done during the course.

53. The standard of qualification for a Commission will be decided upon from time to time by the Secretary of State for War, and announced to the Cadets at the commencement of the course.

54. In order to ensure due diligence during the whole period of residence, there will, at the end of the first term, be a Probationary Examination in the work of that term. A Cadet failing to pass satisfactorily through the Probationary Examination at the end of his first term will lose a term, and not get class promotion. No Cadet will be permitted to reside for more than one year at the College

except in cases of failure at the Probationary Examination, protracted illness, or long absence from any unavoidable cause, or of his being prevented by unavoidable cause from undergoing the final examination. In these cases an extra term will, if specially recommended by the Governor, be allowed.

VIII.—Interior Economy, Messing, &c.

55. The dining-halls, halls of study, reading and recreation rooms, and quarters of the Cadets will be furnished in all essentials by the Government.

IX.—General Regulations.

56. A Cadet will be removed from the Royal Military College for moral or physical unfitness.

57. A Cadet who fails to pass the examination at the end of his second term of residence will not be permitted to return to the Royal Military College, but will be allowed to be re-examined once at the next ensuing examination.

58. A failure at this re-examination will disqualify a Cadet for a Commission in the Army, and his name will be at once removed from the list.

59. No person whatever belonging to the Royal Military College is to receive a present from any Cadet, or from the relations or friends of any Cadet.

Standing Orders, Royal Military College, Sandhurst, 1877.

The following Standing Orders, based upon the General Regulations for the Government of the Royal Military College at Sandhurst, are promulgated for the guidance of all concerned.

Wm. Napier, Lieut.-General,
Governor.

Royal Military College,
10th February 1877.

SECTION I.

General Regulations.

1. In issuing standing orders for the internal administration of the Royal Military College, the Governor cannot do better than to extract the following remarks from the standing orders of the Royal Military Academy at Woolwich:—

"The Governor desires to impress upon all Officers, "Professors, and Instructors a deep sense of the re- "sponsibility which attaches to his and their duties "alike, and of the principles which should govern their "action. The country has confided to their charge the "moral and intellectual training of a large body of "young men destined for the public service, in which "all who are successful in their academical career will "be called to bear an honourable part, and many will "undoubtedly rise to high and important positions; "it is therefore incumbent upon all who share in this "responsible charge to take the deepest interest in the "welfare of the gentlemen cadets, and in all that relates "to the Royal Military Academy. They should "endeavour to study the personal characters of the "gentlemen cadets with whom they may be brought in "contact, and by example, as well as by kindly advice, "to influence them for good. It is by gaining their "confidence and esteem, rather than by the exercise "of the powers confided to them, that they should "command respect; but, when necessary, those powers "should be exercised with firmness, coupled invariably "with good temper and tact. They should always bear "in mind that authority is more for the purpose of "restraining and checking evil than for punishing it; "and that the best and surest test of the proper use "of authority is the absence of wrong, and not "frequency or severity of punishment. In the exercise "of all authority a broad distinction should be drawn "between acts of an immoral, dishonourable, or un- "gentlemanlike character on the one hand, and thought- "lessness on the other; the former must absolutely be "prevented, the latter checked and reproved. The "Governor confidently looks to all, whether Officers, "Professors, Instructors, or cadets, to prevent vice of "every description in all connected with the Royal "Military Academy, by never omitting to take notice "of it, when and wherever it may come under their "observation, and by bringing it to his knowledge. "By the determined co-operation of all to this end "they will raise the character of the institution, and "render unnecessary the application of the penalties "to which the cadets are liable, and which, when "inflicted to their extreme extent, may bring ruin to "the cadet and disgrace to his family."

Commandant and Secretary.

2. The Commandant and Secretary is the official channel of communication between the Governor and all persons connected with the Institution. He has charge, under the Governor, of the general correspondence of the Establishment, and of the studies and discipline of the Cadets.

3. He will keep a record of the admission, advancement in the College, and final disposal of every Cadet, and of the results of the periodical examinations; he will receive from the Professors and Instructors monthly reports of the progress, conduct, and diligence of each Cadet.

4. He will prepare for the consideration of the Governor the time tables, and will make the necessary arrangements for conducting the several courses of study, and for the examinations. All reports, requisitions, and applications with reference to the studies should therefore be made to him.

5. He has charge of all stationery, and of all books for College purposes, all requisitions for which are to be addressed to him.

6. He will visit the halls of study, and see that the instruction is carried on in conformity with the synopsis of the course.

7. He has military command of the Cadets, the Non-commissioned Officers and the band, and the superior command of the detachments of Cavalry and Royal Engineers doing duty at the Royal Military College.

8. He will superintend generally the instruction of the Cadets in all drills and military exercises.

9. The discipline of the Cadets will be maintained in accordance with the regulations for the government of the College, the orders of the Governor, and the regulations of the Army.

10. All drills and military exercises will be conducted in strict accordance with the instructions published with reference thereto for the guidance of Her Majesty's Forces.

11. The Commandant will send daily to the Governor a morning report on the approved form, and is responsible that all orders are properly entered in the Order Book, which he will sign.

A copy of the standing orders of the College will be kept in each "news-room," and every Cadet will be provided with a copy of the standing orders.

12. The Commandant has the power of placing a Cadet under arrest, and of stopping a Cadet's leave, at his discretion, but will report to the Governor all cases he may consider as requiring more serious notice.

13. He will keep a book in which shall be entered all cases of misconduct, and the manner in which they have been disposed of by the Governor or himself.

14. He will occasionally visit the rooms, hospital, and all buildings occupied by the Cadets, the basement of the College, and the barracks of the Cavalry and Engineers.

15. He will be President of the Mess and Recreation Committees; and will have the general superintendence of the children's school.

16. In the absence of the Governor he will assume the command of the College.

SECTION II.

Officers in Charge of Divisions.

17. In accordance with paragraph 41 of the Regulations respecting Examinations for admission to the Royal Military College [issued with G.O. 88 of 1876], the Officers in charge of divisions will reside in the College, and will live with their divisions, for which they will be responsible in every respect.

18. It is their especial duty to make themselves acquainted with the character of the several Cadets [illegible] divisions, in each of whom they should take a personal interest, being always ready to give friendly advice, which they will encourage the Cadets to seek from them. They will endeavour to the utmost, by gaining the confidence of the Cadets, to promote that honourable and gentlemanly tone which ought to prevail among them; and while, at the same time, with tact, discretion, and good temper, accompanied by firmness, enforce a strict compliance with the standing orders, and all other orders issued for the guidance of the Cadets and the government of the College. They are enjoined to bring to

through the Commandant, all matters whatever affecting the comfort or welfare of the Cadets, or that they may consider of interest as regards the Institution.

19. They have the power of placing a Cadet under arrest, reporting the circumstance to the Commandant in writing on the following morning.

20. The officers in charge of divisions are to keep a book, in which they are to enter, in their own handwriting, all offences and the punishments awarded.

21. They will be responsible for the maintenance of discipline in their divisions, and that all orders are duly carried out, and all drills and exercises performed according to regulation, and that the quarters occupied by the Cadets of their divisions are kept clean and in proper order.

22. They will assist in the management of the mess, and of the funds contributed for the purposes of recreation.

23. A Divisional Officer will be detailed weekly as Captain of the week. He will come on duty at reveille on Monday, and will be answerable for the good order and regularity of the establishment.

24. He will not absent himself from the College during his tour of duty without permission and getting an officer to undertake his duty. He will attend all duties, drills, and parades, and will visit the gymnasium during the hours of instruction.

25. He will visit daily the hospital, the dining halls, billiard rooms, and the canteens of the Cavalry and Royal Engineers.

26. In the event of fire or any unusual occurrence, he will immediately report to the Commandant, and in the absence of the Governor and the Commandant, he will act as circumstances may require.

27. He will send in his report by 10 A.M. of the day he comes off duty, and will mention any irregularity or breach of orders he may have observed.

28. The Officers in charge of divisions will desire their Cadets to acquaint them without loss of time whenever money or any article belonging to them is missing, and, should it appear that the article has been purloined, they will take immediate steps to discover the offender, reporting the circumstance to the Commandant.

29. They will make an inspection of the arms and accoutrements of their divisions on the last Saturday of each month, reporting the result to the Commandant.

30. Officers commanding divisions have authority to grant leave of absence to any Cadet of their division, not under restriction, from after the last study on Saturday till Sunday night, for the *bond fide* purpose of visiting their friends, but leave at all other times can only be granted by special sanction of the Governor, and for urgent reasons. Cadets will not quit the College without first ascertaining that the leave they have asked for has been granted. Leave to be out after 11 P.M. will not be granted for the purpose of enabling Cadets to go to London, except on Saturdays. No application by letter or by telegram for extension of leave is ever to be made, except under very urgent circumstances, and then only through the Officer commanding the division, and the answer must be prepaid, or no notice will be taken of the application. Cadets who may rejoin before the expiration of their leave will, on Monday, be at having forfeited the remainder of

[illegible] commanding divisions will keep the [illegible] their division.

The Chaplain.

[illegible] perform Divine Services and the

[illegible] and Quartermaster.

[illegible] Quarter-Master will perform the

[illegible] assist the Commandant in his

[illegible] orders issued are sent out and [illegible] different detachments and people [illegible] end parade.

[illegible] duty rosters, and will pay the Staff

[illegible] he will perform the duties of [illegible] Ordnance Store Officer.

[illegible] of the premises of the College, [illegible] alry barracks, Engineer barracks, [illegible] ings, parade ground, cricket and play grounds, and will be responsible that they are kept in order, and that the requisitions for repairs to these and to the Officers' and Professors' houses are forwarded to the Royal Engineer Department for execution.

39. He will visit the dormitories, dining rooms, and news rooms daily, and the halls of study, basement, areas, Cavalry barracks, and huts frequently and ascertain that the water supply, fire-engines, gas-meters, syphons, &c., are in proper condition; and he will be responsible that all the arrangements necessary in case of fire are in good working order.

40. He will have charge of the bedding, barrack, and special furniture, mess equipment, artillery, and artillery stores, tools, materials, and stores for field work instruction, surveying instruments, saddlery, arms and ammunition, and will estimate, demand, receive, issue, and account for them.

41. He will receive, issue, and account for the clothing of the Cadets, Staff-serjeants, Band, detachment of Cavalry, and servants, the bread, meat, and all articles required for the messing of the Cadets and for the rations of the Staff-serjeants, Band, detachments of Cavalry and Royal Engineers, forage, fuel, and light, and all other supplies.

42. He will have the superintendence and payment of the servants and labourers, and will parade the former every day, half an hour before the Cadets' dinner hour.

43. He will be responsible that the store and clothing ledgers, and provision books, &c. are properly kept.

44. He will have the superintendence of the boats belonging to the College.

45. In the summer and winter vacations he will inspect the bedding, furniture, and utensils of all the rooms in the College, the mess establishment, halls of study, barracks, huts, lodges, out-quarters, &c., and cause the necessary repairs to be executed and the deficiencies made good.

46. The following individuals will be under his orders, and responsible to him for the performance of their respective duties:—

Quartermaster-Serjeant.
Staff-Serjeants (for certain duties).
Clerk of the Kitchen.
Gatekeepers.
Laundry Conductor.
Housekeeper and Assistants.
Armourer Serjeant.
Servants.
Labourers.

The Surgeon.

47. The Surgeon will have medical charge of all persons on the establishment of the Royal Military College and Staff College, and of the families of such as reside within one mile of those Colleges.

48. He will frequently visit the College buildings, bringing to the attention of the Governor any matter whatever which may come under his observation affecting the health of the Cadets or the sanitary condition of the establishment.

49. In the event of any Officer, Professor, or Instructor being so ill as to prevent the performance of his duties, the Surgeon will at once report the circumstance to the Commandant, in order that the duties may be provided for.

50. He is responsible for maintaining discipline in the hospital, and will report to the Commandant all irregularities, by whomsoever committed; and will not allow any Cadet or other unauthorised person to enter the hospital as a visitor, without a written pass signed by him. Smoking is prohibited in the hospital.

51. The sick in hospital will be dieted upon requisition from the Surgeon.

52. In the case of any Cadet going to the hospital for medical advice during the hours of study, the Surgeon will note the precise time at which he came to the hospital, and send a report thereof, with a statement of the case, to the Commandant.

53. He will make a daily report to the Governor of the Cadets in hospital, and of those discharged; and will report to him in all cases when, from the state of health of any of the Cadets, he may think it advisable to communicate with their parents or friends.

54. The hour at which Cadets are to attend at the hospital, when reporting themselves sick, will be stated in the "time table."

Assistant Surgeon.

55. The Assistant Surgeon will assist the Surgeon in all his duties.

Riding Master.

56. The Riding-Master is charged with the instruction of the Cadets in riding.

57. He has the immediate command and charge of the riding detachment stationed at the College.

SECTION III.

Professors and Instructors.

58. The Professors of each branch of study have the general supervision of the Instructors and of the studies in that branch, and all proposals with reference thereto should come from the Professor, or be made through him to the Commandant.

59. The Professors and Instructors are responsible for the due instruction of the Cadets in their several branches of study, and for their discipline and regularity in the halls of study, which should be maintained with firmness, coupled with tact and good temper.

60. It is desirable that the Professors and Instructors should be in their halls on the sounding of the warning bugle for each study. As soon as the second bugle has sounded the roll will be called, and the names of those Cadets who are absent will be entered on the report.

61. Any Cadet who may be late will report himself, on entering the hall of study, to the Professor or Instructor, who will make a note in the report, opposite his name, of the time of his entering the hall. These reports will be signed by the Professor or Instructor, collected by a serjeant at the conclusion of each study, and taken to the office for the information of the Governor.

62. No Cadet will leave his hall of study during the hours of study without the permission of the Professor or Instructor under whom he is studying, or to stay out of it for an unreasonable time. In case of any Cadet doing so, a note will be made of the circumstance on the report.

63. The Professors and Instructors have the power of ordering to his room, under arrest, any Cadet who misconducts himself in or out of study, reporting the circumstance without delay to the Commandant.

64. The Professors and Instructors will sign all requisitions for such books, instruments, and stationery as the Cadets may require for the prosecution of their studies; but great care must be taken that no waste of such material shall occur.

65. They will be accountable for the care of all books, instruments, and apparatus furnished to them for the performance of their duties, and a "*remain*" will be taken from time to time of such articles.

66. The Professors and Instructors will send to the Commandant a monthly report, on the approved form, of the conduct and application of the Cadets in their respective classes, and of the work done during the month.

67. No credit will be given for any plate or drawing until finished to the satisfaction of the Professor or Instructor under whom it has been drawn, or before he has signed it; the date of its being passed being in all cases added.

68. The Governor will be ready at all times to receive any applications or references from the Professors and Instructors. When, however, they refer to the subjects of study, they will be made by or through the Professor who has charge of the special branch of study to the Commandant for the information of the Governor.

SECTION IV.

General Discipline of Cadets.

69. An under officer will be appointed to each division by the Governor, upon the recommendation of the divisional officer.

70. The under officer will assist the divisional officers in maintaining regularity and order in the rooms and passages of their respective divisions.

71. They will call the roll of their divisions on parade, and at any other roll-calls that may be ordered.

72. An under officer will be detailed daily to assist the officer of the week in the regular duties of the College.

73. Wine parties in Cadets' rooms, and gambling of every description, are strictly prohibited.

74. No lights are to be kept in the Cadets' rooms after 11 p.m., unless by special permission of the divisional Officer.

75. Every Cadet passing an Officer in uniform is to salute him in a military and soldier-like manner, as directed by the Queen's Regulations. The Officers, Professors, and Instructors of the College will be saluted, whether in or out of uniform.

76. The study dress may be worn in the vicinity of the College. The tunic is to be worn on all general parades, and at mess. Plain clothes will only be worn when Cadets are actually engaged in games, or boating, or when walking or riding into the country.

77. Smoking is prohibited during the hours of study, and at all times in the passages, dining halls, and hospital. It is also prohibited in the village of York Town, in all public places of assembly, and at out-door instruction.

78. No dogs will be allowed within the College buildings.

79. No Cadet is to visit a friend in hospital without the permission of the Surgeon.

80. In accordance with the spirit of the General Regulations of the Army, Cadets are not permitted in a body to address their superiors; and all combinations under any pretext whatever are strictly forbidden, whether for the purpose of procuring redress of grievances, or violating any regulation.

81. If a Cadet shall think himself wronged by an Officer, Professor, or Instructor, or by an under officer or Cadet, he will state the circumstance to the Officer of his Division, who, if the matter refers to a Professor or Instructor, will report it to the Commandant for the information of the Governor. It is intended to give the Cadets the full advantage of impartial justice; but an inferior who makes a groundless complaint or appeal against a superior is guilty of a very serious military offence, which, according to the custom of the service, will render him liable to serious consequences.

82. When a Cadet is sent to his room, or placed under close arrest, he is to understand that he is not to leave his room until released (except to attend studies and parades), and no other Cadet or visitor will visit him in his room without the permission of the Officer of his Division.

83. The gas will be turned off from the College buildings, and the entrance doors closed, at 11 o'clock p.m., after which hour no singing, music, or noise of any sort will be permitted. Cadets coming into College after 11 o'clock p.m. will be required to do so by the grand entrance. No Cadet will be permitted to be absent from the College after 11 o'clock p.m. without special leave from the Officer of his Division, who will send the names of those to whom such indulgence has been granted to the Commandant's Office by 2 o'clock p.m. the same day. Any Cadets who come in after 11 o'clock p.m., either with or without leave, will be required to enter their names in a book kept at the grand entrance for that purpose.

84. All carriages or horses coming to the College for the use of Cadets will go to the entrance at the wing of the building in which they are quartered, and not by the grand entrance. Cadets will avoid riding or driving across the grass in front of the College. When driving or riding at night along the road from York Town Gate to the College they will do so at a moderate pace.

85. All Divisional Officers and Cadets who are present at the College on Sundays will attend the church parade. Cadets of the Roman Catholic religion will, after the roll has been called, attend the service at the Roman Catholic Chapel at Cambridge Town. Attendance at afternoon service is voluntary, but uniform must always be worn. No one will be allowed to pass through the grand entrance hall during the hours of Divine Service, morning and afternoon, and the Cadets will refrain from noise of every description in the vicinity of the College during the celebration of the Holy Communion and during Divine service. Cadets who may on Sunday be excused attendance by the Surgeon will fall in with their respective divisions, and, as soon as the rolls have been called, will fall out and go to the entrance portico till the parade is dismissed.

86. Cadets are particularly cautioned not to leave money, jewellery, &c., lying about their rooms, and are to take the precaution of locking their doors when they leave their rooms, either taking the key with them or leaving it in charge of their servant.

87. Cadets arriving at the College on first admission or rejoining after the vacation, will report themselves to the Officers commanding their divisions.

Discipline in Study.

88. Punctuality of attendance at all studies will be strictly required.

Upon the sounding of the first bugle for study, the Cadets are to proceed at once to their respective halls, taking with them all the books, instruments, and other articles they require for the particular study in which they are about to engage, and to take their seats immediately on entering the hall or lecture room, in a quiet and orderly manner, at the desks allotted to them. As soon as the second bugle has sounded, the Professor or Instructor will call the roll of his class. Any Cadet who may be late will report himself to the Professor or Instructor in order that the time of his entering the hall may be noted.

89. No Cadet will, on any pretence whatever, leave his hall, or go to his own room, during the hours of study, without having first obtained the permission of the Professor or Instructor under whom he is studying; nor is he to stay out of the hall an unreasonable time.

90. No Cadet will sit in any but his own place; nor will he, without the permission of the Professor or Instructor, work at any subject but that detailed for each particular attendance.

91. In the event of a Cadet being taken ill in study, he will report the circumstance to the Professor or Instructor, and, after having obtained his permission to leave the hall, he will proceed of once to the hospital. In case of his requiring assistance, the Professor or Instructor will send a servant with him, and in all cases he will record the time of his departure in the study report.

92. The Cadets are particularly enjoined to enter and leave halls of study and lecture rooms in a quiet and orderly manner, and to refrain from shouting in the passages.

[illegible] with paragraph 42 of the Regulations for Admission to the Royal [illegible] for First Appointments therefrom to [illegible] G.O. 88 of 1876,] Cadets are, during [illegible] under the entire charge and control of [illegible] structors, to whom they are bound, at [illegible] respect which is due to their position [illegible] their rank as officers.

[illegible] for books, instruments, stationery, [illegible] the purposes of study, will be pre- [illegible] who requires the articles to the Pro- [illegible] under whom he is studying, who will [illegible] iders them necessary, noting when [illegible] quence of the loss or wilful damage [illegible] ly supplied.

[illegible] and Instructors have at all times the [illegible] Cadet out of study, reporting the cir- [illegible] mandant for the information of the [illegible] the Cadet will consider himself [illegible] his room, and will not resume the [illegible] offence has been disposed of by the [illegible]

[illegible] paragraphs in Governor's orders [illegible] the Cadets will be posted up daily [illegible] are also any arrangements made by [illegible] studies into lectures, or *vice versâ*; [illegible] responsible that he makes himself [illegible] everything therein which may concern [illegible]

[illegible] study is ordered, every Cadet will [illegible] at the hour appointed, and remain [illegible] period of the study. He will be [illegible] hall of study whenever required to [illegible] or Instructor of his class. The [illegible] attendance will be required as when [illegible] the halls of study.

[illegible] permitted to use conveyances or [illegible] returning from instruction out of [illegible] themselves on duty from the time [illegible] until they return to it.

[illegible] excused any part of the out-door [illegible] tor, he will be careful to ascertain [illegible] tion he is excused from, and for how [illegible] time he is so excused he will not be [illegible] leave, or join any out-door games, [illegible] quit the premises of the College. [illegible] sick list on Saturday are not to have [illegible] Sunday, and in all cases when the [illegible] pped he will not go away from the [illegible] od of the College during the time [illegible] tion. In all cases of a Cadet being exempted from out-door instruction, notice thereof will be given to the Officer of his division, and to those Professors and Instructors to whose classes he may belong.

100. Cadets are liable for misconduct to—

Expulsion, which may render a gentleman ineligible for employment in Her Majesty's Military Services.

Removal.

(In both the above cases the decision of the Commander-in-Chief must be obtained.)

Rustication, which involves the loss of a term.

101. Under-officers may be reduced to the ranks for neglect of duty, misconduct, or incapacity.

102. All espionage being totally repudiated, entire reliance is placed upon the Cadets, who are bound in honour to observe all arrests, by whomsoever ordered. The breach of an arrest is therefore a most serious offence.

SECTION V.

Miscellaneous.

Mess.

103. No Cadet will be absent from mess without the leave of the Officer in charges of his division.

104. The mess will be managed by a Committee, consisting of the Commandant as president, a Divisional Officer, and one under-officer of each mess as members.

The proceedings of the Committee will be duly entered in a book.

105. The Divisional Officers will have charge of messes, and each will be responsible that all orders are duly carried out, the accounts correctly kept, and that the hall servants perform their duties properly and punctually.

106. The accounts will be closed to the end of each month, and audited by the Committee.

107. The rate of messing will be fixed from time to time by the Mess Committee, approved by the Governor, and published in orders. The provisions for the mess will be obtained upon contracts approved by the Governor, and the broken victuals, &c. will be regularly disposed of to a contractor, and the sums received for the sale thereof credited to the mess fund.

108. No alteration in the hours or in the general arrangements of the mess will be made without the sanction of the Governor.

109. A store of extra articles will be kept at the mess for the convenience of those Cadets who wish to purchase them.

Cadets' Kit.

110. Every Cadet will have in his possession the following articles:—

1 tunic.	Provided at the College.
1 waistcoat.	
3 pairs of trowsers (1 pair booted).	
1 study jacket.	
1 forage cap.	
2 pairs of gloves.	
1 cloak and cape, Infantry pattern.	
1 chaco.	
1 black regimental tie.	
2 pairs Wellington boots.	
1 pair spurs.	

111. Every article of linen will be marked with his name in full.

112. Each Cadet will also be provided with the following books and instruments:—

1. Philips' Fortification.
2. Paterson's Military Surveying.
3. Clery's Tactics.
4. Boughey's Military Administration and Law.
5. Queen's Regulations and Orders for the Army.
6. Mutiny Act and Articles of War.
7. Infantry Field Exercise Book.
8. Case of mathematical instruments.
9. Surveyor's protractor
10. Prismatic compass.
11. Marquois scales.
12. Sketching case, 11″ × 11″.
13. Bible and Prayer Book.

These books and instruments will be provided at the College if the Cadets do not bring them with them.

Leave of Absence.

113. All applications for leave of absence will be addressed to the Officers of Divisions, who, if they have no objection, will forward them to the Commandant, but no leave from study will be granted without the sanction of the Governor.

114. Every Cadet who returns to College after hours, whether from leave or otherwise, will enter the time at which he returns, and sign the book kept for that purpose. He will be responsible that the time is entered correctly.

115. Cadets applying for leave will note in their application the names and addresses of the friends they are about to visit; and it is to be clearly understood that they do *bonâ fide* visit the friends at the addresses so given.

116. Every Cadet will return punctually to College at the expiration of his leave, and on the day appointed for meeting after the vacation. In case of sickness a medical certificate will be sent by post.

117. When the Cadet rejoins after sickness, he will bring a second certificate, specifying the date of his cure, in which, if his disease has been infectious, it will be certified that all danger from infection has ceased, and he will report himself immediately on joining to the Officer of his division.

ARMY CIRCULARS.

1876.

War Office, 1st March 1876.

The following Royal Warrants, Regulations, and Instructions are promulgated to the Army by direction of the Secretary of State for War.

CONTENTS.

Clause 30. Royal Warrant—Government of the Royal Military College.

FINANCE.

ROYAL WARRANT — GOVERNMENT OF THE ROYAL MILITARY COLLEGE.

VICTORIA R. Clause 30.

Whereas the Royal Military College at Sandhurst has heretofore been governed by the Warrant of Our Royal Grandfather, King George the Third, dated the 27th May 1808, and by Our Warrant dated the 1st October 1858:

Our Will and Pleasure is that the said Warrants, in so far as they may be applicable to the Royal Military College, and likewise all the Royal Warrants *appointing Commissioners to the said Royal Military College, be cancelled;* and We do hereby revoke, cancel, and annul the same accordingly.

2. Except as We may be pleased otherwise to direct in any Warrant under Our Royal Sign Manual, the Royal Military College shall be governed by such Regulations as shall from time to time be made by Our Secretary of State for War, or be issued by Our Commander-in-Chief with the approval of Our Secretary of State for War.

Given at Our Court at Windsor, this 17th day of February 1876, in the 39th year of Our Reign.

By Her Majesty's command,

GATHORNE HARDY.

Secretary of State's Instructions on the foregoing Warrant.

In pursuance of Article 2 of the foregoing Warrant, the Royal Military College will, until further orders, be governed by the Regulations issued with General Order No. 20 of 1875.

B.

SYNOPSIS OF THE COURSE OF INSTRUCTION AT THE ROYAL MILITARY COLLEGE, 1875.

ARTILLERY AND FORTIFICATION.

Subjects of Instruction given by Lectures.	Exercises.	
	In-doors.	Out of doors.
General knowledge of the nature and use of the various pieces of *Artillery*, S.B. and Rifled, with the nature and effects of their projectiles. The various kinds of Artillery fire.	- - -	Inspection of the various guns, &c., at the College.
Construction of SIMPLE SCALES - - -	Pl. 1. Geometrical Drawing (Scales).	
IN GEOMETRICAL DRAWING.—A knowledge of the construction of the *Plan and Sections* of Solids *bounded by planes*. Use of ordinary drawing instruments and of *Marquois Scales*.	Pl. 2 & 3. Geometrical Drawing; Plan and Profiles to scale of solids bounded by regular slopes.	Tracing on the ground, full size, and erecting the profiles of the objects drawn in each of the two plates of Geometrical Drawing.
FIELD FORTIFICATION.—Conditions regulating the Profiles and Works, from the simple Shelter Trench to the strongest Field Profile. Calculation for size of ditch for works on level ground. Stockades, Walls, and Hedges as prepared for defence.	Pl. 1, F. F. Profiles of various Field Works, from given conditions.	Execution of a Shelter Trench; firing at same to illustrate the cover afforded against musketry. Walls loopholed; stockade made and breached afterwards by powder bag.
Obstacles used with Field Works; Abattis, Palisades, Fraises, Trous-de-loup, Fougasses, Inundations, &c.	- - - -	Inspection of existing obstacles; portions of Abattis, Palisades and Fraises to be erected, and Trous-de-loup to be made. A Shell Fougass and a Stone Fougass to be made and fired.
Revetments of Gabions, Fascines, Sandbags, and Sods.	- - - -	Gabions and Fascines made; Revetments built.
The various separate Field Works, open and closed, used in the Field, viz., Redans, Lunettes, Redoubts, and Forts.	Pl. 2, F. F. Plan and Profile in detail of a Redan or Lunette. Pl. 3, F. F. Plan in partial detail of a Redoubt with flanking works in its ditch; Profiles of the work and of the kaponier and counterscarp gallery. Pl. 4, F. F. Plan in partial detail of an irregular Bastioned Fort, with Reduit. Profiles of Reduit and Fort.	Each of the works shown in Plates 2, 3, and 4 are traced and profiled before (if practicable) they are drawn on paper. Stockade, kaponier and counterscarp gallery visited and explained.

Subjects of Instruction given by Lectures.	Exercises.	
	In-doors.	Out of doors.
Details, various; such as Embrasures, Barbettes, Traverses, Entrances, Field Magazines, &c.	- - - -	Embrasures and Traverses made.
Defilade of Field Works - - - - -	- - - -	Open and closed works practically defiladed.
Execution of Field Works, including determination of outline and profile, tracing, profiling, posting working party, and calculation of time required to execute.	- - - -	Tracing and working at a work with a profile requiring *diggers*, *shovellers*, and *rammers*; also frequent practice in tracing works for execution, and in posting the working parties.
Lines of Intrenchment; general knowledge of the various combinations of works.	Pl. 5, F. F. Plan and Profiles of a Bridge Head, consisting of—	
Bridge Heads - - - - - -	(*a.*) Work covering two bridges. (*b.*) Line of advanced works. (*c.*) Flanking batteries on opposite bank.	
Defence and Attack of Posts -	Pl. 6, F. F. Projects for Defence of a given Post, with report and sketches.	Illustrations of Loopholing Walls and Barricading Doors and Windows, Defence of Hedges, Forming Tambours, &c.
Works on Irregular Ground - - -	Pl. 7, F. F. Plan in partial detail, and Profile of a Field Work on a given hill.	Tracing and Profiling Works on neighbouring hills.
Military Bridges; comprising Trestle and Pile Bridges, Single Lever, and Double Lever Spar Bridges, Cask Bridges. Timber Rafts. Ladder Bridge, with Limber for single rank of Infantry. Ladder Bridge, with Ladders (trussed as beams) for double rank of Infantry. Simple Flying Bridges.	- - - -	The following are made by the Students:— Trestle Bridge, boomed out from one bank. Single Lever Spar Bridge over gap, 27 feet. Double Lever Spar Bridge over gap, 30 feet. Cask Piers and rafts of ditto. The two kinds of Ladder Bridges. Driving Piles, and completing a Pier of Piles.
Siege Trenches, formation of, by simple trenching and by flying sap.	- - - -	Execution of 1st task of 1st Parallel by Trench Work, and of 2nd Parallel by Flying Sap.

Portions of the text book comprised in the above course:—

Pages 141–151, chapter 1. The whole of the chapter except following Arts., which are omitted.—Arts. 430, 438, 439, 441.

Pages 151–160, chapter 2. The whole of the chapter, except Art. 453 (omitted), and Arts. 456, 457, 458, 459, 460, 461, which are to be treated generally, without requiring a knowledge of details.

Page 175, chapter 5 (portion of), Arts. 499, 501, 502, to be treated only generally.

The lectures are based upon Major Philips' "Course of Artillery and Fortification," which is the text book of the Royal Military College.

MILITARY TOPOGRAPHY.*

Explanation of the different methods of expressing ground.
Instruction in the horizontal system of drawing.
Practicability of the different degrees of slope of ground, for the movements of troops.
Course.—From four to six drawings on the horizontal system to be copied in pencil, the number to depend on the proficiency of the student.
The copying of contoured drawings explained.
Description of the orometer, including explanation of the scales of distances, the protractor, the clinometer, the column of horizontal equivalents, the scale of shade, and the table of gradients.
Method of applying the orometer.
Explanation of the use of contours.
Instruction in shading a contoured plan.
How the contours are to be indicated.
Course.—A set of contours to be copied and filled in in pencil by the orometer.
Instruction in drawing sections of ground from a contoured plan.
The assumption of the datum level on a plan.
The exaggeration of the vertical to the horizontal scale in the construction of sections.
The requisite conditions with the necessary calculations.
Course.—Three or four sections to be drawn from a contoured plan.
Method of copying models.
On tracing the outlines of the features.
On taking the slopes.
On completing the shading.
Course.—At least two models to be drawn in pencil or ink.
Course.—The details to be copied from the authorised plate of conventional signs.
Form of keeping a field-book with the different conventional entries.
Instruction in protracting angles.
The magnetic variation of instruments.
The prismatic compass, and the method of taking angles.
Course.—Copying a field-book with given conditions, and plotting the work from it.
Explanation of the object of triangulation.
Selection of a base line and points of triangulation, explained practically on the ground.
Taking measurements by pacing.
Instruction in traversing.
Finding the place by interpolation, and by off-sets.
Course.—Trianguiation and traversing half a mile square in the field; the traversing to be entered in a field-book. The work to be afterwards plotted to scale.
On the measurement of heights and distances by construction.

* Major Paterson's "Notes on Military Surveying and Reconnaissance" used as the text book at the Royal Military College.

To find the height of an accessible object on a horizontal plane.
To find the height of an accessible object on sloping ground.
To find the height and distance of an inaccessible object on a horizontal plane.
To find the height and distance of an inaccessible object on sloping ground.
To find the distance of an inaccessible object from any given point.
To find the distance between two points which are accessible from another point.
To determine the position of an object from the observed angles to three known stations.

Course.—Diagrams to be drawn of each case.

Course.—Preliminary field sketch.

Instruments used—the prismatic compass and orometer.
Instruction in tracing contours.
Ground to extend over half a mile square.
Scale of survey, 12 inches to a mile.
Contours to be shown at 12½ feet apart.
To be shaded to scale.

Course.—Independent field sketch.

Under the same conditions as for the preliminary field sketch.

Course.—Preliminary eye sketch.

Instruction in surveying without instruments.
Extent of ground, three quarters of a mile square.
Scale, 12 inches to a mile.
To be shaded to scale.

Course.—Independent eye sketch.

Under the same conditions as for the preliminary eye sketch.
Instruction in the object of topographical reports; as to the orders for carrying them out; as to the method of completing the work. Headings of reports, and information as to filling them up.
Road Reconnaissance :—
Information as to the extent of country to be embraced in the sketch.
The tabular form for keeping the report, with instructions as to the reference numbers, localities, distances, and accommodation.

The arrangement of the supplies, transport, and water, with formulæ for calculations.

The general observations, including the general nature of the roads, with their widths, constructions, variations, practicability, imperfections, repairs, &c,
The nature of the soil, rivers, woods, marshes, defiles, and specialities.

Course.—Preliminary road report.
To extend over two miles.
Scale, 6 inches to a mile.
Sketch to be shaded in ink.
Report to be fairly copied out.

Course.—Independent road report.
To extend over four miles.
Scale, 3 inches to a mile.
Sketch and report to be finished as in the preliminary road report.

River Reconnaissance :—
Instruction in the sketch of a river and adjacent country. The report, including information as to the breadth, depth, current, channels, banks, bridges, fords, ferries, navigation, and surrounding country.

Course.—Reconnaissance of Blackwater River, in the vicinity of the College.
Scale, 12 inches to a mile.
Sketch to be inked.
Report to be fairly copied out.

TACTICS.

Introductory Lecture and Definition of the Subject.

Information and Security.

Importance of superiority when coming into collision with an enemy.
Superiority may be moral or physical. Whence derivable in each case.
Dependence of physical superiority on mobility and concentration.
How far mobility depends on soldier.
How far on Commander.
How question of supply and mobility affects power of concentration.
Necessity of power of rapid concentration.
Difficulties of keeping an army concentrated, and the consequent necessity of early and accurate information of enemy's movements.

Outposts.

Outposts.—Their object and duties.
Position of outposts as regards main body.
Their composition.
Their strength, and the conditions that would affect it.
Their distance from main body, and the variations which it is subject to.
The usual sub-division of the whole body of the outposts.

Sentries.—Their general disposition.
Points to be observed in posting a sentry.
Distance apart of sentries.
Position of night sentries.
Duties of a sentry.

Picquets.—Conditions determining strength of a picquet.
Mode of regulating relief of sentries.
Position as regards sentries.
Duties of picquet in case of attack.
Strengthening of post occupied by picquet.
Patrols from picquet.
Different kind of patrols and their object. Strength of patrols in each case.

Supports.—When supports to picquets are required.
Their strength and position as
reserves.

Reserve.—Its position.
Its composition and relative st
Its duties in case of attack.
The principle regulating dista
force they are covering.
Practical instruction in the p
given out of doors. The s
ground, of which a lithogra
them, and they are then re
how they would occupy this
under given conditions.
Examples of outpost work
narrated and explained.

Reconnoitring.

Necessity for obtaining ample and
about enemy.
The surest way of obtaining inform
Importance of screening movemen
General outline of how a consid
would be employed for reconnoitr
Small reconnoitring parties.
Their composition and strength.
Qualities of Commander.
Precautions against surprise.
Information from prisoners.
Questioning inhabitants.
Transmission of intelligence to rear.
Reconnoitring enemy's position.
Points to be noted in country passe

Marches.

Object and requirements.
Condition of men.
Reduction of weight to be carried by
Length of column.
Use of several roads.
Accurate timing of marches.
Connection to be kept up between di
Place of each arm on line of march.
Pace } To avoid unnecessary fa
Halts }
Discipline.
Flank marches :—
Danger attending them.
Exposed flank to be protected.
Distribution of force.
Defiles on exposed flank to be g

Night marches:—
Disadvantages attending them.
Precautions necessary.
Regulation of halts.

Advanced Guards.

Their object and uses.
Their duties.
Strength.
Formation.
Sub-division.
Position of each Arm.
Flanks to be secured.
Distance from main body.
Duties and responsibilities of Commander.
Conduct on meeting enemy.

Characteristics of three Arms. Weapons and mode of fighting of each.

Ground in relation to Tactics.

How the nature of the ground affects the view. How far slightly undulating ground affords concealment to each Arm. How far concealment is of importance. Danger to troops of confounding cover from *view* with cover from *fire*.

How the nature of the ground affects movement. Character of the roads: their breadth, surface, &c. The nature of the soil and its liability to be affected by weather. How this would affect rapidity of movement. Streams, marshes, ravines, &c. in their effect on tactical combinations.

The character of ground best suited to each of the three Arms. How minor obstacles, such as fences, hedgerows, embankments, &c. affect the action of each. How wooded, hilly, or open countries influence their action.

Character of ground best suited for positions for Artillery.

Defiles.

loyment of Infantry.
Cavalry.
Artillery.
Three Arms combined.
Attack and Defence.

Rear Guards.

rancing.
reating.
each case.
of action.
mposition.
pying positions.
rear-guard in presence of an enemy.
ion on march.
a defile.
nce to be offered by rear-guard.

Rivers.

istribution of force.
r line.
rent methods.
e points of crossing.
nd assembly of troops.
rty.

Defiles.

sense.
files.
defending them; mode of
them; mode of attacking
them; mode of attacking
defending them; mode of attack-

Villages.

their utility in a military sense.

General mode of putting them in a state of defence.
Importance of citadel.
Disposition of troops.
Importance of exterior line of defence.
Attack.
Employment of each Arm in attack.

Woods.

The advantages of holding a wood against enemy in open.
Disadvantages attending fighting within a wood.
Manner of putting wood in state of defence.
Disposition of troops:—
Attack of a wood.
Disposition of troops for attack.
Movements of attacking force within a wood.

Convoys.

Different kinds of convoy.
Strength.
Disposition on march.
Strength and disposition of escort.
Duty of escort.
Conduct in case of attack.
Mode of parking a convoy.
Convoys by water.

Text Books:—Field Exercises.
Soldier's Pocket Book (Wolseley).
Minor Tactics (Clery).

MILITARY LAW.

Mutiny Act and Articles of War contain written portions of Military Law.
Mutiny Act: Origin—Summary of Alterations in—Duration.
Articles of War authorised by Mutiny Act—Necessity for having them—Limit of power, &c.
Difference between Military and Martial Law.
Custom of War.
Annual passing of Mutiny Act by Parliament.
Classification of contents—Numbers of the Army—Persons subject to the Act—Crimes and punishment—Rules of enlistment.
Miscellaneous clauses.
Courts-martial—Descriptions—Assembly—Composition—Jurisdiction—Power of punishment.
Detachment General Court-martial.
Proceedings before trial—Arrest—Investigation of cause of arrest.
Power of Commanding Officers may be partially delegated to Officers Commanding Companies.
When trial is necessary—Rules for framing charges.
Explanation of most important crimes—Regulations respecting them.
Proceedings of Courts-martial—Explanation of each part of form given in Queen's Regulations, Appendix B.—Privileges of prisoner, &c.
Duties of Officers taking part in proceedings: President—Members—Deputy Judge Advocate—Prosecutor.
Penalties on conviction of certain crimes.
Explanation of nature of punishments Courts-martial can award.
Confirmation: Power of confirming authority.
Revision: Regulations.
Record not to be kept of illegal proceedings.
Execution of sentences.
Evidence: Credibility and competency of witnesses—Grounds of incompetency.
One witness sufficient in ordinary cases.
General rules as to admissibility of evidence:—

1. The best evidence to be produced; not secondary or derivative.
2. Hearsay is not evidence.
3. Evidence to be confined to charge.
4. The point in issue to be proved by the person who affirms it.
5. Sufficient to prove the substance of the charge.

Classification of evidence:—
Direct or positive evidence.
Satisfactory evidence.
Secondary or derivative evidence.
Circumstantial evidence.
Documentary evidence: Public records—Private writings.
Depositions.
Dying declarations.
Confessions.

Courts of Inquiry and Boards:—
Two distinct kinds—those unauthorised by law, but held by custom; those required by Regulations, viz., Illegal Absence, Injuries, Soldiers' Claims, Discharge Boards, Boards on Officers wounded.
Composition and duties of Officers in each case.
Courts of Request (held in India only), authorised by Mutiny Act.
Actions to be tried by them—Composition of Court—Assembly—Powers.

Books used:—
Mutiny Act, Articles of War, } used only by Instructors.
Queen's Regulations.
Elements of Military Administration and Law (Boughey).

ELEMENTS OF MILITARY ADMINISTRATION—INTERIOR ECONOMY OF REGIMENTS.

QUEEN'S REGULATIONS and ORDERS bearing upon the duties of a Company Officer and upon the interior economy of a Company and a Battalion.

ENLISTMENT.

System of obtaining recruits. Voluntary and compulsory service. Comparison of English and foreign systems.
Recruiting. Localization Scheme, 1873: Brigade Depôts.
Qualification of recruits—age, standard, &c.
Mode of enlistment and attestation.
Periods of service for which soldiers are enlisted in the different branches of the army. { A. S. Act, 1847. A. E. Act, 1867. " " 1870. G. Os. since issued.
Mode of reckoning service towards completion of engagement.
Discharges.
Organisation of British Army:—general details.
Infantry.
Cavalry.
Artillery.
Commissariat, &c.
Numbers.
Estimates.

Summary of organisation of principal foreign Armies and Reserves:—
Prussia.
France.
Austria.
Russia.
Reserve Forces:—English Army.
Army Reserve { Composition. Numbers. Liabilities.
Auxiliary Forces:—
Militia and Militia Reserve.
Yeomanry.
Volunteers.
Militia { Organisation. Distribution. Mode of recruiting. Training and exercise. Bounty and allowances.
Militia Reserve { Composition. Period of Service. Liabilities. Numbers.
Yeomanry and Volunteers { Organisation. Mode of enrolment. Equipment. Training and exercise.

PAY.

Army Estimates.
Issue of money from War Office to Paymasters.
Issue to Officers commanding Companies.
Captains responsible for paying men and keeping accounts.
Accounts of Companies kept separately.
Average establishment of Companies.
Separate accounts between (a) Captain and men. (b) Captain and Pay-Serjeant. (c) Captain and Paymaster.
Accounts between Captain and Men of Company.
Daily pay—Rates—Life and Foot Guards—Cavalry and Infantry of the Line.
Additional Pay—Rules for granting good-conduct pay.
Accelerated rate of good-conduct pay.
Forfeiture and restoration of good-conduct pay.
Mode of reckoning service towards good-conduct pay.
Forfeiture of whole or portion of prior service towards good-conduct pay.
Extra-duty pay—Duties—Rates.
Allowances in lieu of rations—on duty—on furlough.
Stoppages to be made daily and monthly, authorised by Pay Warrant.
Other stoppages authorised by Pay Warrant.
" " Mutiny Act and Articles of War.
Cash payments to men—Pay Sheet.
Savings Banks: Object—Deposits—Rate of interest—Responsibility of Captains.
Forfeiture of pay—Instances.
Subsistence money—When issued—Rates.
Accounts with men to be balanced monthly.
Books and Forms for keeping accounts with men.
Explanation of contents—Examples.
Non-effective accounts—How dealt with.
Appointment of Pay-Serjeants in Troops and Companies.
Accounts between Captain and Pay Serjeant.
Record kept—Form used.
Balance Sheet and Cash Accounts—Explanation of contents—Division—Examples.
Accounts between Captain and Paymaster.
Form used—Pay list—Explanation of contents.
Rewards to soldiers during or at the close of service.
Annuities—Amount—Issue—Qualifications—Forfeiture.

Gratuities, two kinds:
(1.) Gratuities for long service and good
Regulations respecting Issue—Ra
Forfeiture—Surrender.
Medals without gratuities.

(2.) Gratuities out of fund formed by
Scale fixed annually—Present r
tions—To be credited in case o
Pensions, permanent and tempor
Permanent pensions—Classifica
ranks for pension.
Pensions for service.
" service as Non-Com
" good-conduct pay.
Examples.
Pensions for wounds, for gallant
Temporary pensions: When issu
cations—Rate.
Gratuities in lieu of pensions.
Pension on reduction of Establis
Forfeiture of pension by pensio
General regulations.
Purchased and free discharges—
Cavalry and Infantry.
Supply and transport.
Supply during peace—Fo
tendance—Equipment—
Supply on board ship.
Transport during peace—Army
Supply in time of war—Diffi
Examples.
Transport in time of war—Expa
Corps—Example.
Supply of food to British and Na
Commissariat and Ordnance
port for movable columns.
Text Books:—Queen's Re
Elements o
tration a

RID

Preparatory instruction in
tion, and in mounting and
mounting with and witho
stirrups.
Single ride.
Double ride.
Leaping in school and in open
Manège.
Sword exercise.

GYMNASTICS.

As laid down in Regulations.

INFANTRY DRILL AND FIELD EXERCISE.

FIELD BATTERY EXERCISE.

With Drag Ropes.

Description and parts of gun and carriage.
Loading and firing.
Limbering and unlimbering.
Dismounting gun and carriage.
Formations of line and column.
Firing with blank ammunition.

(Signed) D. A. CAMERON, *Lieutenant-General, Governor, R.M.C.*

Royal Military College,
1st September 1875.

C.

TIME TABLE.

Reveille	7 A.M.
1st Study	7.30 to 8.30.
Breakfast	8.30.
Hour for G. Cadets to attend Surgery	9
Parade (a class riding 9.15 to 10.15) except on Saturdays	9.30 to 10.15.
2nd study	10.25 to 11.35.
3rd study	11.25 to 12.35.
4th study	12.40 to 2.
Luncheon	2 P.M.
Drill for juniors not at gymnastics	2.30 to 3.
Gymnastics	3 to 4 and on Mondays 4 to 5.
Riding (none on Saturdays)	2.30 to 3.15. 3.15 to 4.
Mess	7 P.M.

Royal Military College,
25th October 1877.

D.

STUDY TABLE.

1st Study. 7.30 to 8.30.	2nd Study. 10.25 to 11.15.	3rd Study. 11.25 to 12.35.	4th Study. 12.40 to 2.
Tactics, &c. Fortification.		Tactics, &c. Surveying.	
Fortification. Tactics, &c.		Surveying. Fortification.	
Tactics, &c. Fortification.		Fortification. Tactics, &c.	
Tactics, &c. Fortification.	Tactics, &c.	Surveying. Fortification.	
Fortification. Tactics, &c.	Tactics, &c.	Fortification. Surveying.	
Fortification. Tactics, &c.	General Parade, 9.30 to 10.30.		

1877.

E.

ROYAL MILITARY COLLEGE.

RETURN OF THE CADETS COLLEGE, 14TH NOVEMBER, 1877.

Distribution.	Staff Officers.									Serjeants.				Civil Department.							Musicians.				Cavalry Detachment.				Detachment of Royal Engineers.				School.				Engineer Department.				Total.		Remarks.
	Governor.	Commandant and Secretary.	Chaplain.	Surgeon.	Assistant Surgeon.	Paymaster.	Riding Master.	Adjutant and Quarter Master.	Serjeant Major.	Quarter Master Serjeant.	Staff Sergeants.	Gymnastic Instructors.	Cadets.	Professors, &c.	Clerks.	Armourer.	Housekeeper.	Clerk of Kitchen.	Cook.	Servants, Porters, Messengers, &c.	Workmen.	Band Master.	Serjeant.	Corporal.	Privates.	Serjeant Major.	Corporals.	Privates.	Horses.	Serjeant.	Corporals.	Sappers.	Master.	Mistress.	Pupil Teacher.	Officers.	Military Clerk.	Foreman of Works.	Overseers and others.	Persons.	Horses.	
Effective Present	1	1	1	1	1	1	1	1	1	1	1	3	240	25	3	1	1	1	1	91	11	1	1	1	15	1	3	27	30	2	6	29	1	1	3	1	1	2	1	493	30	6 temporarily attached for drill purposes.
Sick	—	—	—	—	—	—	—	—	—	—	—	—	15	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	15	—	
Rusticated	—	—	—	—	—	—	—	—	—	—	—	—	3	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	—	
Absent with Leave	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Absent without Leave	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Total	1	1	1	1	1	1	1	1	1	1	1	3	258	25	4	1	1	1	1	91	11	1	1	1	15	1	3	27	30	2	6	29	1	1	3	1	1	2	1	512	30	
Over Establishment	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
Wanting to complete	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6	—	
Establishment	1	1	1	1	1	1	1	1	1	1	1	3	258	25	4	1	1	1	1	91	11	1	1	1	16	1	3	27	30	2	6	29	1	1	3	1	1	2	1	507	30	

WM. NAPIER, General, Governor Royal Military College.

STAFF OFFICERS.

Names.

Governor, General W. C. E. Napier.

Commandant and Secretary, Colonel F. D. Middleton.

Chaplain, Rev. S. Clark, M.A.

Surgeon, Deputy Surg. Gen. Fraser, M.D.

Assistant Surgeon, Surgeon V. Wearne.

Paymaster, ———

Riding Master, Captain C. C. Brooke.

Adjutant and Quarter Master, J. Davies.

PROFESSORS, MAST[illegible]

Number.

8 Fortification
- Capt. E. D. [illegible]
- „ C. H. [illegible]
- „ R. H. [illegible]
- „ B. O [illegible]
- „ W. Ca[illegible]
- Lieut. W. B. [illegible]
- Capt. K. R. [illegible]
- „ L. K. [illegible]

9 Military Surveying and Military Drawing.
- Bt. Maj. W. [illegible]
- Maj. E. A. A[illegible]
- Capt. C. W. [illegible]
- „ R. L. [illegible]
- „ W. F[illegible]
- Lieut. A. M[illegible]
- Capt. H. [illegible]
- „ C[illegible]
- „ R[illegible]

8 Tactics, Drill Instructors, Military Accounts and Correspondence
- Capt. J. Bou[illegible]
- „ C. C. K[illegible]
- „ S. C. Pr[illegible]
- Lieut. N. L. V[illegible]
- Capt. S. F. B[illegible]
- „ B. G. H[illegible]
- „ H. M. M[illegible]
- „ C. Camp[illegible]

25 TOTAL

NUMBER OF CADETS AT EACH RATE OF CONTRIBUTION.

	Effective.	Sick.	Absent		Total.	Establishment.	Alteration since last Return		
			With Leave.	Without Leave.			Joined.	Quitted.	Died.
QUEEN'S CADETS -	5	—	—	—	—	5			
INDIAN CADETS -	18	—	1	—	—	19			
At 20*l.* per ann. -									
„ 40*l.* „ -	14	1	—	—	—	15			
„ 60*l.* „ -	43	2	—	—	—	45			
„ 70*l.* „ -	6	1	—	—	—	7			
„ 80*l.* „ -	4	—	—	—	—	4			
„ 125*l.* „ -	150	11	2	—	—	163			
Total -	240	15	3	—	—	258			

LONDON:
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NAVY (H.M.S. "BEAGLE").

RETURN to an Order of the Honourable The House of Commons, dated 6 June 1878;—*for*,

COPY "of further PAPERS relating to the EXECUTION of a NATIVE of TANNA on board H.M.S. 'BEAGLE,' (in continuation of Parliamentary Paper, No. 65, of the present Session)."

Admiralty, 6 June 1878.

THOS. WOLLEY, Chief Clerk.

— No. 1. —

TELEGRAM.

From Admiralty to Commodore *Hoskins*, Sydney.

Admiralty, 22 March 1878.

[redacted]thority, legal or otherwise, or under what article in your [redacted]t you give Lieutenant Caffin directions to take a native of Tanna, [redacted]ilty of the murder of Easterbrook, execute him in a public and [redacted]? Reply by telegraph, and also fully by letter.

— No. 2. —

[redacted]e Secretary of the Admiralty to Commodore *Hoskins*.

28 March 1878.

[redacted]nded by my Lords Commissioners of the Admiralty to acquaint [redacted]ave had under consideration your letter of the 24th October [redacted] with its enclosures, relative to the action taken by your [redacted]Port Resolution, Tanna, by Lieutenant Caffin, commanding the [redacted]gle," and having the "Renard" also under his orders.

[redacted]hat on receiving intelligence from Lieutenant Masters, of the [redacted]t he had made inquiries while at Tanna in June 1877, respecting [redacted]a British subject named Easterbrook by a native of that island, [redacted]d satisfied himself that Easterbrook had been murdered by a [redacted]Nakapok, who was slightly provoked to the act by disputes about [redacted]and that severe punishment was requisite; you issued instruc- [redacted]ant Caffin to take the "Renard" under his orders, and make [redacted]s way to Port Resolution, Tanna, "where he was further to [redacted]e murder of Easterbrook, and should he be fully convinced [redacted]his own misconduct which led to the commission of the deed, he [redacted]deem his force sufficient, to endeavour to obtain possession of the [redacted]if successful, he was to cause him to be executed in the most [redacted]ial manner possible."

[redacted]t Caffin, acting on these instructions, and having the "Renard" [redacted]ed at Port Resolution on the 16th September 1877, and imme- [redacted]elf into communication with Mr. Neilson, a missionary residing [redacted]on, with reference to the murder of Easterbrook. Lieutenant [redacted]following day sent a message to the chief men of the village, to [redacted]ed murderer belonged, to require that the man should be given

 up

up for trial, to which, on the following day, he received an answer declining to comply with this demand.

4. It was then decided by Lieutenant Caffin to seize any natives who might happen to visit the schooner, and hold them as hostages for the delivery of the murderer, an intention which was carried out on the 19th; on the following day a body of natives came down to the beach near the ship, and hailed that they had brought down the murderer, and boats were sent immediately to fetch him on board the ship, but, on an attempt being made to seize the man, the whole of the natives made off into the bush, carrying the man with them. The natives were then informed that, unless the murderer was produced, the three most important of the hostages would be kept on board as prisoners pending your decision as to their disposal. This threat appears to have made a deep impression, more especially as one of the hostages was a very influential person, and in consequence a native, who was stated to be the murderer, was brought down to the shore and handed over to Lieutenant Caffin.

5. It appeared, however, that this man was not the person who committed the murder, but a younger brother, who confessed to having been with the actual murderer, Yuh-Maga, at the time of its commission, and was prepared to assist him if it had been necessary. This person, Nokwai by name, was tried by Lieutenants Caffin and Pugh, assisted by Mr. Nielson, and found guilty, and having also confessed, as before stated, was condemned to death, and executed by hanging at the fore yard-arm of the "Beagle."

6. My Lords have considered these matters with the care which their gravity and importance demand; and whilst carefully abstaining from giving an opinion as to their legality or otherwise, they desire me to call o
on what authority, legal or otherwise, or under what article of y
you issued orders to Lieutenant Caffin to take a native of Ta
man were found guilty of the murder of Easterbrook, to exe
public and judicial manner.

7. A cipher telegram to this effect was sent to you on
directing you to answer by telegraph and fully by letter.

I enclose copy of the papers on this subject which have be
Parliament.

I am, &
(signed)

— No. 3. —

TELEGRAM.

From Commodore *Hoskins* to Admiralty.

Auckland,

ACTING on the instructions of the Secretary of State for th
similar case at Aurora Island, Admiralty Letter, 17th February
opinion of Attorney General of New South Wales on that occasi
Letter by North American Mail to-morrow.

— No. 4. —

(No. 54.)

Commodore *Hoskins* to the Secretary of the Admira

(Respecting orders given to Lieutenant Caffin, of the "Beagle,"
Tanna Island native, who murdered Wm. Easterbrook, a Brit

Sir, "Wolverene," at Auckland,

I HAVE the honour to acknowledge the receipt, on my arr
Lyttelton, on the 29th ultimo, of your telegram of the 22nd
which I have replied by telegraph as ordered.

2. I beg now to report more fully that in giving Lieutenant Caffin orders respecting the punishment of the murderer of Easterbrook at Tanna, I was in the first place guided by the conviction, that it is the duty of naval officers generally to protect British subjects in lawless and savage places, and when they are maltreated or murdered, to punish the perpetrators, if it is clearly established that no sufficient provocation has been given, and that they had not forced themselves into the country in opposition to the wishes of the inhabitants.

3. In holding that conviction, however, I have not lost sight of the fact, that the first pioneers of trade in such places as the Western Pacific Islands must go about to a great extent with their lives in their hands, and that it would be as impolitic as it would be unjust to visit with extreme rigour the offences against their persons or property which are committed by natives, who in what they do are only following their natural instincts and traditions, and are doubtless in many cases provoked and stimulated to revenge, by acts of which we hear nothing.

4. From the time of my arrival on this station I have been constantly urged by island traders to avenge such offences with wholesale punishment and slaughter of their aggressors, but I have invariably resisted all applications which would involve indiscriminate firing on villages, and probable loss of innocent lives, pointing out that where proper precautions are taken, such occurrences are rare, and are no more than must be expected as the consequence of careless exposure in dealing with savages with whom cannibalism and skull hunting have been immemorial customs. In reply, it has more than once been intimated to me, that if I would not take action in the matter, the traders would take the law into their own hands; to which I have answered, that it did not [illegible] the matter, and that I should repress any improper conduct of [illegible] to the utmost of my power.

[illegible] however, that in our growing intercourse with the islanders, [illegible] and class of offences, when it becomes necessary to hold them [illegible] nable to our usages and ideas, and estimate of the value of [illegible] such is the case, I consider, when, in places where white men [illegible] footing, and the natives, from constant intercourse with them, [illegible] ing in our colonies, are emerging from the lower depths of [illegible] outrages are committed by them on our people, with little [illegible] given, but stimulated by cupidity or revenge.

[illegible] three have more particularly been brought to my notice [illegible] my command here.

[illegible] Under directions from Lord Carnarvon, forwarded in your [illegible] February 1876 (M., No. 21), I was directed to send a ship of [illegible] Island, to punish the murderers of Mr. King, master of the [illegible] if they could be identified, and their guilt satisfactorily proved, [illegible] be the case, his Lordship remarked, that it would be only to [illegible] so long a time had intervened, in the interests of justice, and [illegible] example, between the outrage and the punishment of the per- [illegible] With respect to this affair, an opinion had been previously obtained [illegible] of New South Wales from Sir George Innes, then Attorney [illegible] Colony, on the legality of punishment by courts of law, copy of

[illegible] ase, a wanton murder was committed by a native in the [illegible] the Gilbert Group, of an Englishman named Keyse, and [illegible] me, the "Renard" proceeded thither, and after due inquiry [illegible] island was made to arrest and execute the murderer (as fully [illegible] letter of the 25th October 1876, No. 251), and the action taken [illegible] your letter of the 11th January 1877 (M., No. 2). This case [illegible] that there being a recognised king of the island, under [illegible] murdered man was living, we were able to compel him to [illegible] punishment.

[illegible] ase is that now in question, at Tanna. After very careful con- [illegible] ppeared to me that, it was essentially similar to those above [illegible] hich I had been ordered to take action, and in one of which the execution

execution of the murderer had been approved; and, bearing in mind the expression of the Secretary of State as to delay being matter of regret in such cases, I deemed it proper to give Lieutenant Caffin the orders to which their Lordships' inquiry refers.

10. I append copies of letters which refer to the cases mentioned, to the case of the "Beagle" at Lord Howe's Group in 1875. Sir George Innes' (the Attorney General of New South Wales) opinion in the matter of the "Lœlia," and my orders to Commander Digby in that case; also documents respecting the "Plato" massacre, referred to by Sir George Innes in his memorandum.

I have, &c.
(signed) *A. W. Hoskins,*
Commodore.

The Secretary of the Admiralty.

SCHEDULE of ENCLOSURES in No. 4.

No.	Date.	SUBJECT.	Page.
43	16 Feb. 1876	Commodore Hoskins to Secretary of Admiralty, respecting proceedings of schooner "Beagle," at Lord Howe's Group investigation, &c.; loss of "James Birnie" - - - - -	4
"	12 Feb. 1875	Sir George L. Innes' Opinion respecting competency Courts of New South Wales to punish the native p of the murder of Captain King, master of the cutter at Aurora Island - - - - - - -	
"	7 May 1876	Extract from Commodore Hoskins' Orders to C Digby, of the "Sappho," to endeavour to punish t of Aurora Island, guilty of the murder of Mr. King, the "Lœlia." - - - - - - - -	
94	21 May 1874	Extract from Commodore Goodenough's Letter to the of the Admiralty, reporting that the Courts at Sy discharged the two natives of the Solomon Islands participation in the "Plato" massacre, on the grou had no jurisdiction - - - - - -	
—	—	Statement of John Collins, late of the English barqu giving an account of the unprovoked massacre of and crew of that vessel by natives of the Solomon I	

Enclosure 1, in No. 4.

(No. 43.)

(Respecting Proceedings of Schooner "Beagle," Lord Howe's Group, loss of "James Birnie.")

Sir, "Pearl," at Sydney, 16

I HAVE the honour to inform you with reference to previous corres No. 38, of 1st October, from Commodore Chapman), respecting the proc schooner "Beagle," in the Lord Howe's Group, when investigating th by the natives, of the "James Birnie," that in the middle of Ja "Sydney" arrived at this port from the Lord Howe's Group, havin Island (Maré) woman, named Alice Wauyeuyap, the sole survivor of t landed from the "James Birnie," except those who escaped wi Rhodes.

2. Since her arrival, an account of the massacre, and of the subsequ the "Beagle," given by this woman to the missionaries here, with wh has appeared in the public prints, and I attach a copy of it (Enclosure 1). differs in some material respects from the report of Lieutenant Rende upon him for any further information or explanation that he might wi also attach (Enclosure 2) a copy of his reply.

3. I have also seen the master of the barque "Sydney," and he informs me that, from the best information he was able to obtain, two natives were killed from the "Beagle's" fire, and the chief wounded badly in the hand; but whether this was the result of the firing with the small arms on the natives who jumped overboard, or from the firing with the "Beagle's" 12-pounder on the canoes, with the object of destroying them, he was unable to say.

4. If the account be true I should think it most likely the former was the cause of the loss of life, and while I think that such a chastisement was by no means too severe for the offence committed, yet I am of opinion that Lieutenant Rendell did not act with judgment in the way it was inflicted, nor in his subsequent loose and random firing on the canoes; it being most desirable in my opinion that in all such cases the retribution should have the stamp of a judicial act, well considered, in just proportion to the offence, and deliberately carried out.

I have, &c.

The Secretary of the Admiralty,
Whitehall, S.W.

(signed) *A. H. Hoskins,*
Commodore.

Enclosure 2, in No. 4.

Sir G. Innes' Opinion.

Murder of Captain *King*, Cutter "Lœlia."

I HAVE read the letter of his Honor, the Administrator of the Provisional Government of Fiji, and also the statement of Patrick Joy and David Robinson, enclosed in his [illegible]. The conclusion apparently arrived at by the court of inquiry, 20th [illegible] 1875, that the unfortunate man King was murdered for the sake of the trade in [illegible] to be supported by the story told by Joy and Robinson, but by whom he [illegible] appears incapable of proof. Certainly, there is no attempt at any such [illegible] tements forwarded by his Honor, and it would seem that there is no [illegible] ntifying the actual murderers. Even if such evidence were forthcoming, [illegible] ould not be brought within the jurisdiction of our courts. The case is like [illegible] "Dato" massacre at the Island of Malanta, for which two islanders were [illegible] Darlinghurst, before Sir James Martin, C. J., some time ago. In which [illegible] the evidence went to show the identity of the accused as two of the [illegible] Chief Justice held that there was no jurisdiction in our courts to try [illegible] the murder having been committed by persons not British subjects, and not within [illegible] British dominions. His Honor said that he doubted very much whether a boat [illegible] be looked upon as a British ship, so as to give the protection of the British flag, and [illegible] at all events the protection would not extend to the case of a boat not water-borne. [illegible] appears questionable whether in this case the boat was not on shore at the time of [illegible] murder.

[illegible] to any course other than of a trial being adopted to make an example of the [illegible] and to prevent the recurrence of such an outrage, I have no suggestion to make [illegible] matter be referred to the Commodore, who will no doubt know the wisest, [illegible] and most effectual plan for the attainment of the end in view.

[illegible] 1875. (signed) *J. G. L. I.*

Enclosure 3, in No. 4.

[illegible] from Commodore *Hoskins'* Sailing Orders to Commander *Digby*, of Her [illegible] Ship "Sappho," dated 7th May 1876, ordering him to proceed to Aurora [illegible] and punish the murderers of Captain King, and one of Native Boat's Crew of [illegible] Cutter "Lœlia."

* * * * * *

[illegible] Excellency, the Governor of New Zealand, has no further occasion for [illegible] you are to put to sea and proceed to the New Hebrides Group, and obtain, [illegible] the islands as your previous experience may suggest, one or two competent [illegible]

[illegible] done so, you are to proceed to Aurora Island, and endeavour, to the [illegible] ability, to discover the perpetrators of the murder of Captain King and [illegible] boats' crew of the cutter "Lœlia," in November 1874, respecting which [illegible] rly in correspondence with my predecessor.

"4. Should you be able to discover the actual murderers, and to distinctly connect them with the crime, you are to cause them to be capitally punished; should you fail to do so, but at the same time clearly ascertain the tribe to which they belong, you are to inflict such chastisement on it, by the destruction of their houses, canoes, or other property, as may seem to you most proper and fitting, and be in your power; but it is most necessary that your acts should be clearly connected with the offence in question, and that should assume a judicial aspect, being carefully proportioned to the offence, and completely and firmly carried out. Loose random firing at the natives or their possessions should be avoided, as tending to give them the idea the retaliation is accidental and without definite plan and object.

"5. I append copy of a Despatch from the Secretary of State for the Colonies to the Admiralty on this subject for your information.

"6. Should you be able to communicate with any one or more of the schooners stationed in the New Hebrides, &c., you are to take them under your orders for the purpose of being present and assisting you."

* * * * * *

Enclosure 4, in No. 4.

EXTRACT from Commodore *Goodenough's* Letter, No. 94, of 21st May 1874, to Admiralty, respecting final disposal of the Natives accused of the Murder of the Crew of the "Plato."

WITH reference to paragraph 4 of my letter, No. 61, of 27th December 1873, relative to the disposal of two Natives of the Solomon Islands engaged in the murder of the crew of the "Plato," I have the honour to report, for the information of the Lords Commissioners of the Admiralty, that these men were taken to Sydney in the "[illegible] over to the civil authorities. They have since been tried and acquitted of opinion that it had no jurisdiction in the matter.

Enclosure 5, in No. 4.

"PLATO" MASSACRE.

I, John Collins, state that I joined the English barque "Plato," o[illegible] Melbourne in March last (1873), bound for Newcastle.

We left Newcastle on or about the 1st May with coal for Hong Kong. [illegible] days out the vessel struck, at about 5 p.m., on the reef of Huon Island [illegible] group. The captain seeing no chance of getting the vessel off, emplo[illegible] getting provisions out, and fitting out the long-boat. We remained [illegible] Island, and then started in the long-boat for San Christoval, but making [illegible] course than was expected, the captain put into Port Adam for provisions. We entered the middle channel, and anchored off the small island betw[illegible] Island and the mainland at about 10 p.m. on or about the 30th May.

The next morning we got under weigh, and anchored off the village opp[illegible] entrance at about 12 a.m. After dinner the boatswain and five men went [illegible] obtained permission from the captain. Up to this time the natives were [illegible] sold us water, yams, and firewood, and landed the men in their canoes. [illegible] the men on shore wanted to come on board, and came down to the beach. [illegible] drew their canoes up on the beach, and would not bring them off. Shortly [illegible] the boatswain struck down by a tomahawk, and the other five almost im[illegible] There were about 50 natives on the beach at the time. The captain the[illegible] get under weigh, and we sailed down the harbour, making for the middl[illegible] lowed by several canoes firing arrows at us. In attempting to get thr[illegible] channel, the boat grounded off the south end of Mary Island, the nativ[illegible] firing arrows at us, and throwing lumps of coral. In order to pacify th[illegible] commenced to give away his clothes, and different things out of the boat, [illegible] for about an hour, the boat now being nearly cleared out, and commenci[illegible] About this time the mate (Mr. Glasgow) was shot through the heart by an [illegible] ing overboard was immediately hacked to pieces by the natives. An[illegible] Stripe) then knocked his own brains out, to avoid falling into the hands [illegible] They stript me and the captain naked, and tomahawked the captain; by [illegible] received six arrows through my arms and legs. I jumped overboard, and w[illegible] natives and taken on shore. They took me to the village on Mary Island, [illegible] across to the mainland; they then took the arrows out of me, and dres[illegible] Had I been wounded in the body I should have been tomahawked also.

tion with them that if a man is wounded in the body he must be killed. Whilst on shore the man who had charge of me treated me very kindly, giving me plenty to eat, &c., and I lived with him until taken away by H.M.S. "Renard."

The "Plato" was 275 tons, and the names of the crew were—

Mr. Thomas Hart, Master.
„ Thomas Glasgow, Mate.
—— Pickering, Boatswain.
Thomas Stripe, A.B.
Samuel Baster, A.B.
John Collins, A.B.
John Knatchetern, A.B., Norwegian.
Wm. Mason, ordinary.
A Chinaman cook.
A Manilla boy.

This is a true and correct statement.

(signed) *John Collins.*

— No. 5. —

(No. 61.)

The Secretary of the Admiralty to Commodore *Hoskins.*

Sir, 6 June 1878.

1. With reference to previous correspondence on the subject of the execution of a native of Tanna Island, in the New Hebrides, on board H.M.S. "Beagle," in the month of September 1877, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that their Lordships have had under their consideration your Despatch of 1st April 1878, No. 54 (as well as your previous Despatches named in the margin), in which you explain the grounds upon which the orders were given to Lieutenant Caffin to punish the native who murdered Mr. Easterbrook, a British subject.

2. In reviewing all the proceedings connected with this case, my Lords have felt it due to you to bear in mind the very anxious and responsible position in which you were placed in having to decide on a case without the guidance of specific laws, or of instructions, as to the steps necessary and proper to be taken for the punishment of a foul crime, and for preventing the recurrence of acts of violence towards the numerous British subjects engaged in peaceful trade in this and other islands of the Western Pacific.

3. Their Lordships have also not lost sight of the fact that on a previous somewhat similar occasion it had been decided that the criminal tribunals of the adjacent British Colonies could not take cognizance of crimes committed in those islands.

4. The impunity, therefore, with which several previous murders had been committed rendered it necessary, unless all protection was to be withdrawn, that the natives should be taught, by the adoption of severe measures, that they would not be permitted to use acts of violence against subjects of Her Majesty. On the other hand, it was equally desirable that the innocent should not suffer with the guilty; and that the course sometimes adopted of proceeding to [illegible] and attacking and destroying settlements, with much loss of life and [illegible] should not be resorted to if it could possibly be avoided.

[illegible] these considerations my Lords are of opinion that you adopted the [illegible] course in giving Lieutenant Caffin the instructions which you [illegible] to him on 24th July 1877, and they desire to record their approval

[illegible] appears to their Lordships that Lieutenant Caffin executed these orders [illegible] and with an earnest desire to avoid unnecessary bloodshed. Every [illegible] however, to secure all the murderers failed, but one of them was given [illegible] evidence given against him was corroborated by his own confession, [illegible] tenant Caffin and Lieutenant Pugh being, after full deliberation, satisfied [illegible] guilt, sentence of death was passed upon, and he was executed on [illegible] M.S. "Beagle."

7. My Lords deem it right not to leave unnoticed the words of your instructions to Lieutenant Caffin, viz.: "Should you be fully convinced that it was not his (Easterbrook's) own misconduct which led to the commission of the deed." On this point there was a suspicion on Lieutenant Caffin's mind that this man had taken liberties with Tannese women, but he states that there was no direct proof of Easterbrook having done so, and, moreover (which is a very important consideration), that the accusation was not made until some time after his death.

8. Their Lordships entirely concur in your opinion that it would have been more satisfactory if the person by whose hand the murder was committed had been executed, and if the execution of the accomplice had taken place on shore instead of on board H.M.S. "Beagle." Circumstances may, however, have rendered this course difficult and imprudent.

9. My Lords in thus announcing their decision desire me to express their opinion that the only real justification for so unusual a mode of punishment lies in the circumstance that the crime committed was not justiciable by any civilized tribunal, and was of such a nature as not to admit of any more merciful course being adopted.

10. My Lords trust that this example may produce the intended effect of preventing a repetition of crimes of violence which have hitherto been unchecked in these islands; but they desire me to observe that in any future cases which may arise it would be desirable that the chiefs themselves should, whenever practicable, inflict the punishment upon the perpetrators of these outrages. Such a course would have a more deterrent influence, and would be less objectionable than the punishment of natives on board Her Majesty's ships, or by the officers of such ships on shore.

11. My Lords, in conclusion, desire me to state that they cannot impress upon you too strongly the necessity of exercising the greatest caution in dealing with the natives. The officers employed on such service should strictly observe the special directions contained in the Instructions of 1873 for the suppression of the kidnapping trade, bearing in mind that it is their duty alike to protect British subjects from the unprovoked attack of savages, and the natives from the lawless acts of white men, and in directing your particular attention to the provisions of the Pacific Islanders Protection Act, and to the Order in Council under it, which were sent to you in my letter of 8th January last, my Lords feel assured that whenever it is possible to do so, you will leave any offences which can be dealt with by the High Commissioner or his deputy, to be adjudicated by those officers.

I am, &c.
(signed) *Robert Hall.*

Commodore Hoskins, C.B.,
H. M. S. "Wolverene," Australia.

NAVY (H.M.S. "BEAGLE"

COPY of further PAPERS relating to the EXECUTION of a NATIVE of TANNA on board H.M.S. "BEAGLE" (in continuation of Parliamentary Paper, No. 65, of the present Session).

(*Mr. Algernon Egerton.*)

Ordered, by The House of Commons, *to be Printed,*
6 *June* 1878.

Under 1 *oz.*

SLAVE TRADE. No. 2 (1878).

CORRESPONDENCE

RESPECTING THE

DISCONTINUANCE

OF

COOLIE IMPORTATION

FROM

INDIA

TO

FRENCH GUIANA.

Presented to the House of Commons by Command of Her Majesty, in pursuance of their Address dated 25th February, 1878.

LONDON:
PRINTED BY HARRISON AND SONS.

[C.—2053.] *Price 6d.*

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28	Consul Wooldridge ..	Sept. 20,	Report on mortality of Indian immigrants for half-year ended June 30	31
29	India Office	Dec. 12,	Acknowledging letter of October 29, inclosing Mr. Wooldridge's Report (No. 28). Observations thereon. Until the condition of the immigrants improves, the resumption of immigration cannot be allowed	38
30	To India Office ..	29,	Should a representation in the sense of above letter be addressed to French Government?	39
31	India Office	Jan. 16, 1878	Answer to above. That communication be addressed to French Government in the sense of their letter of December 12 ..	39
32	To Marquis d'Harcourt	25,	Sends copy of inclosure in No. 28, with observations suggested in India Office letter of December 12	39

RETURN to an Address of the Honourable the House of Commons, dated February 25, 1878;

for—

"Copy of Correspondence between the Government of India and the Foreign Office relative to the Discontinuance of Coolie Importation from India to French Guiana."

No. 1.

The Marquis d'Harcourt to the Earl of Derby.—(*Received October* 26.)

M. le Comte, *Londres, le* 23 *Octobre*, 1876.

M. LE MINISTRE des Affaires Etrangères croit savoir que le Gouvernement Anglais, se fondant sur l'excessive mortalité des coolies dans la Guyane Française, vient de prendre des mesures à l'effet d'interdire l'expédition des nouveaux convois à destination de notre colonie. Rien dans la correspondance de Lord Lyons n'ayant préparé le Gouvernement Français à cette détermination, il était loin de s'y attendre, et les nouvelles les plus récemment parvenues de la Guyane ne signalent ni épidémie, ni augmentation de mortalité parmi les coolies. Il y a donc lieu de présumer que la mesure en question est le résultat d'un malentendu. Je prie votre Excellence en conséquence de vouloir bien la faire retirer, si cela est possible, ou tout au moins d'obtenir pour les convois en formation et attendus à la Guyane l'autorisation de se mettre en route.

Veuillez, &c.

(Signé) D'HARCOURT.

(Translation.)

M. le Comte, *London, October* 23, 1876.

THE Minister for Foreign Affairs understands that the English Government, in consequence of the extreme mortality among the coolies in French Guiana, have just taken measures to prohibit the despatch of fresh drafts of coolies destined for our colony. As nothing in the correspondence with Lord Lyons had prepared the French Government for this determination, they were far from expecting such a measure, and the latest accounts received from Guiana do not announce either epidemic or any increase in the death-rate amongst the coolies.

There is ground, therefore, for supposing that the measure in question is the result of a misunderstanding. I beg your Excellency, therefore, to be so good as to have it withdrawn, if that be possible, or at least to obtain for the shipments in process of formation and now expected in Guiana, the necessary authorization to start.

Accept, &c.

(Signed) D'HARCOURT.

No. 2.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, October* 27, 1876.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 23rd instant, requesting that the prohibition which has been placed upon the importation of coolies into French Guiana may be withdrawn, and I have to acquaint your Excellency that I am in communication with the India Office upon the subject, and

shall have the honour of again addressing your Excellency upon receiving his Lordship's reply.

I have, &c.
(Signed) DERBY.

No. 3.

Sir J. Pauncefote to Sir L. Mallet.

Sir, *Foreign Office, October* 30, 1876.

I AM directed by the Earl of Derby to transmit to you a copy of a despatch from the French Ambassador at this Court,* requesting that the prohibition which has been placed upon the importation of coolies into French Guiana may be withdrawn; and I am to request that you will move Her Majesty's Secretary of State for India to inform his Lordship what answer should be addressed to the Marquis d'Harcourt's application.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 4.

Sir L. Mallet to Lord Tenterden.—(Received November 16.)

My Lord, *India Office, November* 16, 1876.

WITH reference to Sir Julian Pauncefote's letter of the 30th ultimo, I am directed by the Secretary of State for India in Council to forward, for the information of the Earl of Derby, copy of a despatch which has been received from the Government of India stating the reasons which have induced them to suspend the emigration of coolies from that country to French Guiana, and the conditions under which its resumption will be permitted.

In communicating the contents of this despatch to the Marquis d'Harcourt, the Marquis of Salisbury trusts that Lord Derby will remind his Excellency of the correspondence which passed between Lord Lyons and the French Government in October and December last. On referring to that correspondence, Lord Derby will perceive that in its review of the Report of Her Majesty's Consul at Cayenne for 1874, the Government of India pointed out certain deficiencies, and required that, before the resumption of emigration operations could be permitted, remedial measures should be carried into effect.

The reply of the French Government was duly transmitted to the Government of India on the 27th January last, and the later despatches from Her Majesty's Consul at Cayenne have since been forwarded. But a consideration of these documents, and of the Report for 1875, has led his Excellency in Council to exercise the power vested in him by the legislature, and to suspend the emigration.

Lord Salisbury regrets that he feels himself unable to interfere with the discretion of the Governor-General of India in Council regarding this matter; and I am desired to request that Lord Derby will be good enough to communicate a copy of the accompanying despatch to Mr. Consul Wooldridge, instructing him to report fully, year by year, on the condition of the Indian immigrants in French Guiana, and to continue his watchful supervision over their interests and well-being.

I have, &c.
(Signed) LOUIS MALLET.

Inclosure in No. 4.

The Governor-General of India in Council to the Marquis of Salisbury.

My Lord Marquis, *Simla, September* 28, 1876.

WE have the honour to acknowledge receipt of your Lordship's despatches dated respectively the 4th May and 8th June last, on the subject of the condition

* No 1.

of Indian immigrants in Cayenne. In the first of these your Lordship transmitted copies of letters received from Mr. Wooldridge, the Consul in Cayenne, reporting the measures taken by the administration of that Colony for the improvement of the medical attendance and the system of inspection, and the failure of his attempts to bring to justice certain persons who, by their neglect, had caused the death of several coolies, on a remote gold-washing establishment. In the second it was intimated to us that Lord Derby thought it desirable to defer any expression of satisfaction at the measures taken by the Colonial authorities in the interest of the coolies, until we had had an opportunity of considering the latest condition of affairs in Cayenne, and deciding whether the emigration thither from India should be continued.

2. We have now received, direct from the Consul, his report for the year 1875, and inclose a copy of it. From this report your Lordship will perceive that the death rate during 1875 was 12·15 per cent., being only 35 per cent. less than in the previous year. In 1874 1,808 new immigrants were introduced, among whom the mortality, during the process of acclimatization, might have been expected to be heavy, while in 1875 the new arrivals were only 351. The diminution in the rate would therefore appear not to be of any real importance, but rather in its smallness to show that our immigrants do not adapt themselves to the climate of the Colony without severe suffering.

3. On the other hand, while of the coolies introduced in 1874 18·7 per cent. died during that year, we observe that of the 351 persons introduced in 1875, no less than 73, or 20·8 per cent., died before the end of the year. The introductions of 1874 were chiefly from Calcutta, and the emigrants from Upper India despatched by that route, are generally found to be less robust than those from the Southern Provinces. But although the importations of 1875 were all from Madras, and were apparently so healthy during the long voyage, that only one infant died out of 352 souls, we find that their death-rate exceeded that of the presumably weaker Calcutta emigrants of the previous year.

4. We do not see any reason for believing that there has been a real improvement in the sanitary condition of the Colony, such as would make it better fitted for the residence of our Indian subjects; and we have therefore reluctantly been compelled to decide that emigration thither from India cannot continue. We have come to this conclusion with regret; the efforts that have been made by the Colonial Administration to improve the condition of our people, and the cordial way in which the suggestions of Mr. Wooldridge on their behalf appear to have been received, would have disposed us to permit the flow of labour thither from India to proceed, in the confidence that all possible measures for securing just treatment and proper medical aid to our subjects would be taken by the authorities. But it appears to us that it has now been clearly shown that the unhealthiness of the Colony, under its present conditions, is such as to make it unsuitable as a residence for natives of India, and that the work on the gold-washings, on which they are mainly employed, is so obnoxious to their health, and the situation of these washings so remote from the influence of the Administration, that we cannot properly continue to allow our Indian subjects to be imported for labour of this description.

5. Under these circumstances we shall deem it our duty to withhold our assent to the resumption of emigration from India to Cayenne, until it is shown by further experience, in the case of the coolies now settled there, that the arrangements have been so improved as materially to reduce the sickness and mortality. We trust that Mr. Wooldridge will continue to report fully, year by year, on the condition of the coolies now in the Settlement, and to exert himself on their behalf with the zeal and ability which have already been so conspicuous.

6. A copy of this despatch, and of Mr. Wooldridge's report, has been furnished to the Governments of Madras, Bombay, and Bengal.

We have, &c.

(Signed) LYTTON.
F. P. HAINES.
H. W. NORMAN.
A. HOBHOUSE.
E. C. BAYLEY.
W. MUIR.
A. J. ARBUTHNOT.
A. CLARKE.

No. 5.

*Consul Wooldridge to the Earl of Derby.**—(*Received November* 27.)

My Lord, *Cayenne, October* 31, 1876.

I HAVE the honour to forward herewith my half-yearly report on the mortality of Indian immigrants in French Guiana for the six months ended June 30, 1876, a copy of which I have forwarded to the Indian Government.

I have, &c.

(Signed) FRANK WOOLDRIDGE.

Inclosure in No. 5.

Half-yearly Mortality Report (Coolie) French Guiana, June 30, 1876.

THE Mortality Returns for the first half of the present year, furnished me by the Department, show a slight improvement in the sanitary and social position of the Indian population in French Guiana, and the mortality among the coolies has been as follows:—

Population on January 1, 1876	3,309
Introduction of coolies during first half-year of 1876	423
Births during same period	26
Total	3,758
Deaths during first half-year	141
Death-rate per cent.	3·75

The total, therefore, of coolies of both sexes and of all ages existing in the colony on the 30th June, 1876, was 3,617.

The above table shows that there has been a diminution in the percentage of deaths among the coolies since my last Report, thus:—

Death-rate per cent. during second half of 1875	5·66
Death-rate per cent. during first half of 1876	3·75
Less death-rate per cent. in favour of the latter period	1·91

This may or may not prove to be favourable, because the last introduction of coolies took place at nearly the end of the half-year (January—June, 1876), and the mortality, consequent on acclimatization, had not yet set in; still, considering that a favourable difference again is shown in comparing the same periods of 1875 and 1876, as seen below,

Death-rate per cent. during first half of 1875	7·68
Death-rate per cent. during first half of 1876	3·75
Difference in favour of 1876	3·93

and that the introduction of the immigrants in 1875 occurred exactly at the same time as in 1876, viz., in the month of May, the difference in the mortality is strikingly in favour of 1876; and I can but trust that this happy result may be owing to the greater watchfulness on the part of the Administration, through the increase of the immigration service, over the conduct of employers towards their coolies working in the interior, and by the prompt attention paid to the smallest complaint of injustice by a coolie against his employer, brought by me to the notice of the Administration.

Complaints at the Consulate have been above the average during the past half-year (January—June, 1876), some of them having been on account of neglect, during illness, by employers, and for refusing to have them treated at the hospitals, which, although more expensive, is a surer and speedier manner of bringing them round than by treating them, as many attempt to do, at their own houses, which generally ends in a visit from the sick coolie requesting me to have him admitted at the hospital.

Other complaints were for non-payment of wages and for slight assaults. But I do not hesitate to say that the position of the coolie has gradually improved, though it is still far from what it should be.

* Communicated to India Office, November 28.

In a pecuniary point of view, the position of the coolie labourer at the placers has also been bettered, as I had recommended in former Reports. It has been decided in the Chamber of Commerce, Agriculture, and Industry, that, taking into consideration the request of the British Government that the salaries of coolies employed in gold washing be raised, the salaries, after the first year of acclimatization be passed, shall be increased by 5 francs more per month, making their pay 17½ francs per month.

The mortality at the different quarters is shown in the following table:—

	Deaths.
At the Appronague quarter	29
Mana	19
Roura	17
Sinnamary	17
Cayenne (town)	45
Cayenne (island)	13
Kaw	1
Total	141

Again the Cayenne item shows a majority of deaths, which is due to the arrival of invalids at Cayenne from the other quarters, some of them in the last stage of illness, who have died in the hospitals.

During the first half-year of 1876, sixty-three transfers took place among the coolies, both to the Government service and to that of private parties, and fifty-seven re-engagements were made at the Immigration Office for the following periods:—

For one year	18
Two years	14
Three years	3
Five years	22
Total	57

Those who re-engaged for one year, received as bounty 25 francs each, those for two years 50, for three 100, and for five 200 francs.

(Signed) FRANK WOOLDRIDGE,
Her Majesty's Consul.

Cayenne, October 9, 1876.

No. 6.

The Duc Decazes to the Marquis d'Harcourt.—(Communicated to the Earl of Derby by the Marquis d'Harcourt, December 7.)

M. le Marquis, *Versailles, le* 2 *Décembre,* 1876.

PAR une dépêche télégraphique en date du 18 Octobre dernier je vous ai signalé les graves inconvénients qu'entraînerait pour notre Colonie de la Guyane l'application d'une décision nouvelle et pleinement inattendue pour nous, en vertu de laquelle le service de l'émigration Indienne à destination de la Guyane serait momentanément suspendu. Rien dans les informations qui nous parviennent de Cayenne ne donne lieu de penser que l'état sanitaire de cette contrée soit, à l'heure actuelle, particulièrement inquiétant, et, en ce qui touche les mesures d'hygiène prises par notre administration pour prémunir les coolies contre les fâcheuses influences du climat, la correspondance échangée entre mon Département et l'Ambassadeur d'Angleterre à Paris suffirait pour mettre en lumière la prévoyante sollicitude de nos autorités. M. le Consul d'Angleterre à Cayenne a lui-même rendu hommage à la vigilance dont M. le Commandant Loubère se montre animé, et dans une circonstance encore récente un temoignage officiel de satisfaction nous en a été adressé par le Gouvernement de la Reine. Je veux donc croire, je vous le répète, à quelque malentendu qu'il est urgent de dissiper, et je desire que vous en entreteniez, sans retard, le Principal Secrétaire d'Etat, en appelant son attention sur les très-serieux préjudices auxquels notre Colonie serait exposée si elle se voyait aussi inopinément privée du concours des travailleurs sur lesquels elle compte et dont elle n'a rien négligé pour rendre la condition aussi satisfaisante que possible.

Dans le cas où des objections, dont je ne prévois pas la nature, viendraient à être opposées à la demande que je vous ai chargé d'adresser à Lord Derby, nous attacherions

beaucoup de prix à ce que, sans qu'il dût en résulter un précédent pouvant engager ses résolutions à venir, le Gouvernement Anglais consentît, du moins, à lever les obstacles opposés au départ des convois actuellement prêts à quitter Pondichéry et dont l'embarquement a été retardé, tandis que l'arrivée en est impatiemment attendue à la Guyane.

Agréez, &c.
(Signé) DECAZES.

(Translation.)

M. le Marquis, *Versailles, December* 2, 1878.

IN a telegraphic despatch of the 18th October last, I informed you of the serious inconveniences likely to arise for our Colony of Guiana from a recent decision, and one entirely unanticipated by us, in consequence of which the Indian emigration service directed to Guiana would be temporarily suspended.

There is nothing in the accounts which reach us from Cayenne to lead us to suppose that the sanitary condition of that country, at the present moment, causes any special uneasiness, while as regards the hygienic measures adopted by our administration for the protection of the coolies against the unfortunate influences of the climate, the correspondence which has passed between my department and the English Ambassador at Paris would be sufficient to show clearly the care and forethought of our authorities.

The English Consul at Cayenne has himself borne testimony to the vigilance displayed by M. le Commandant Laubère, and in a still recent case an official expression of their satisfaction has been addressed to us by Her Majesty's Government.

I repeat to you, therefore, that I am convinced that some misapprehension exists which it is most important to remove, and I request you without delay to address yourself to the Principal Secretary of State on this subject, calling his attention to the very serious detriment to which our colony would be exposed, were she to find herself unexpectedly deprived of the large supplies of labourers upon which she is counting, and to render whose condition as satisfactory as possible she has neglected no precaution.

In case any objections, the nature of which I do not foresee, should be raised to the request which I have directed you to make to Lord Derby, we should deem it of much value if the English Government would consent, without such action being held to form a precedent which might hamper her future resolutions, at least to remove the obstacles placed in the way of the departure of those drafts which are at this moment ready to leave Pondicherry, and whose embarkation has been delayed, while their arrival is impatiently expected in Guiana.

Receive, &c.
(Signed) DECAZES.

No. 7.

Mr. Lister to Sir L. Mallet.

Sir, *Foreign Office, December* 9, 1876.

I AM directed by the Earl of Derby to transmit to you a copy of a despatch from the Duc Decazes, dated 2nd instant, which has been communicated to his Lordship by the French Ambassador.* It relates to the question of coolie emigration to French Guiana, to which your letter of the 16th ultimo referred; and I am to say that, before making any communication to the Marquis d'Harcourt in the sense of that letter, Lord Derby would be glad to be informed whether there is anything in the despatch from the Duc Decazes which would cause the Marquis of Salisbury to desire any alteration or addition to be made to the note which his Lordship, in the letter from the India Office above referred to, has already suggested should be addressed to the Marquis d'Harcourt on this subject.

I am, &c.
(Signed) T. V. LISTER.

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* No. 6.

No. 8.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, December* 9, 1876.

I HAVE the honour to inform your Excellency that I have not failed to communicate to Her Majesty's Secretary of State for India a copy of the despatch from the Duc Decazes on the subject of coolie immigration to French Guiana, which your Excellency was good enough to place in my hands; and I hope shortly to be in a position to make a further communication to you on the subject.

I have the honour herewith to return the despatch in question.

I have, &c.
(Signed) DERBY.

No. 9.

Sir L. Mallet to Lord Tenterden.—(Received December 16.)

My Lord, *India Office, December* 16, 1876.

I AM directed by the Secretary of State for India to acknowledge the receipt of Mr. Lister's letter of the 9th instant, inclosing copy of a note from the Duc Decazes to the French Ambassador in London on the subject of the suspension of emigration from India to French Guiana.

In reply I am desired to inform the Earl of Derby that there appears to be nothing in the Duc Decazes' note which requires any modification of the communication which Lord Derby may cause to be addressed to his Excellency in consequence of my letter of the 16th November last.

Mr. Consul Wooldridge's Report for the first six months of the present year* has already been forwarded to the Government of India, who will be glad to observe the improvement that has taken place in the rate of mortality and in other respects; but the objections of that Government extended to other matters, such as the unhealthiness of the Colony for East Indians, and to the work on the gold washings on which the immigrants are employed. These objections the Government of India did not think were sufficiently counterbalanced by the effects of the local Administration for improvements, and its cordial co-operation with the Consul. Mr. Wooldridge, in his Report already referred to, which was transmitted with Sir Julian Pauncefote's letter of the 28th ultimo, mentions that some of the complaints he received lately were for neglectful or injudicious treatment under illness.

I have, &c.
(Signed) LOUIS MALLET.

No. 10.

The Earl of Derby to Lord Lyons.

My Lord, *Foreign Office, December* 29, 1876.

WITH reference to previous correspondence on the question of coolie immigration from India to French Guiana, I transmit to your Excellency herewith, for your information, a copy of a despatch from the Government of India on this subject;† and a copy of a note which I have consequently addressed to the French Ambassador in London.‡

I am, &c.
(Signed) DERBY.

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* Inclosure in No. 5. † Inclosure in No. 4. ‡ No. 11.

No. 11.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, December* 30, 1876.

I LOST no time in communicating to Her Majesty's Secretary of State for India in Council a copy of the despatch addressed to your Excellency on the 2nd instant, by the Duc Decazes, on the question of Indian coolie immigration to French Guiana, and I have now the honour to inclose for communication to your Goverment an extract of a despatch received from the Indian Government,* stating the reasons which have induced them to suspend this immigration, and the conditions under which they are willing to consent to its resumption.

In conection with this subject I would beg leave to remind your Excellency of the correspondence which passed between Her Majesty's Ambassador at Paris and the French Government in October and December last, in which it appears that the Government of India, in a review of the Report of Her Majesty's Consul at Cayenne for the year 1874, pointed out certain deficiencies in the regulations adopted by the French authorities, and required that, before the resumption of immigration operations could be permitted, remedial measures should be carried into effect.

The reply of your Government was duly transmitted to the Government of India on the 27th January last, and the later despatches from Her Majesty's Consul at Cayenne have since been forwarded to that Government, but a consideration of these documents and of the Consul's Report for 1875 has led his Excellency in Council to exercise the power vested in him by the Legislature, and to suspend the emigration.

Under these circumstances I have the honour to request your Excellency to express to the Duc Decazes the regret of Her Majesty's Government that they feel themselves unable to interfere with the discretion of the Governor-General of India in Council regarding this matter.

I have, &c.
(Signed) DERBY.

No. 12.

Sir J. Pauncefote to Consul Wooldridge.

Sir, *Foreign Office, December* 30, 1876.

I AM directed by the Earl of Derby to transmit to you herewith, for your information, a copy of a despatch from the Governor-General of India in Council on the subject of coolie immigration from India to French Guiana,† and I am to instruct you to report fully year by year on the condition of the Indian immigrants in French Guiana, and to continue your watchful supervision over their interests and well-being.

I am further to inclose for your information a copy of a note which Lord Derby has addressed to the French Ambassador in London on the question of the suspension of this immigration.‡

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 13.

The Duc Decazes to the Marquis d'Harcourt.§—(*Communicated to the Earl of Derby by the Marquis d'Harcourt, January* 22.)

M. le Marquis, *Versailles, le* 13 *Janvier*, 1877.

LA lettre que je vous ai adressée le 10 de ce mois au sujet des conditions de travail et d'existence faites aux coolies Indiens dans notre Colonie de la Guyane, venait d'être expédiée lorsque j'ai reçu de mon collègue M. le Ministre de la Marine une nouvelle communication, à laquelle étaient annexés des documents dont je crois devoir vous transmettre des extraits pour compléter les informations que je vous ai déjà fait parvenir à ce sujet. Le rapport circonstancié du Commandant Loubère et ceux des

* Inclosure in No. 4 (Extract.) † Inclosure in No. 4. ‡ No. 11.

§ Communicated to India Office, February 2.

Inspecteurs de l'Emigration dans notre Colonie attestent de la façon la plus convaincante les efforts que notre administration a multipliés, depuis deux ans, pour améliorer dans une proportion très-sensible la situation des travailleurs Indiens. Ce serait bien peu reconnaître le louable zèle dont elle se montre animée que de suspendre le recrutement des coolies, dans le moment même où les importants résultats obtenus nous donneraient des motifs de compter, au contraire, sur des témoignages de satisfaction de la part du Gouvernement de la Reine. Je persiste donc, comme je vous l'écrivais la semaine passée, à croire à l'existence d'un malentendu qu'il est urgent de dissiper, et je vous prie de vous y employer sans retard dès que vous trouverez l'occasion de vous en entretenir de nouveau avec Lord Derby.

Agréez, &c.
(Signé) DECAZES.

(Translation.)

M. le Marquis, *Versailles, January* 13, 1878.

THE letter that I addressed to you on the 10th instant on the subject of the condition of labour and life incident to Indian coolies in our Colony of Guiana, had just been dispatched when I received from my colleague, the Minister of Marine, a further communication, to which were attached documents, from which I think it right to send you extracts, in order to complete the information which I have forwarded to you on this subject. The circumstantial Report of Commander Lanbère and those of the Inspectors of Emigration in our Colony, bear testimony in the most convincing manner to the efforts which our Administration has multiplied during the last two years for the amelioration, in a very sensible degree, of the condition of the Indian labourers. It would be, indeed, but a scanty recognition of the praiseworthy zeal by which they have shown themselves animated to suspend the coolie recruitment at the very moment when the important results already obtained would give us grounds to expect, on the contrary, assurances of satisfaction from Her Majesty's Government.

I continue to feel convinced, then, as I wrote to you last week, of the existence of a misapprehension which it is most important to remove, and I beg you, therefore, to occupy yourself with this matter without delay, so soon as you find an opportunity of discussing the subject afresh with Lord Derby.

Receive, &c.
(Signed) DECAZES.

Inclosure 1 in No. 13.

Extrait du Rapport de M. le Médecin Hemenry, faisant partie de la Commission d'Inspection d'Immigration, sur la tournée dans les quartiers de Tonnegrande, de Montsinery, de Macouria et de Roura,

Du 5 Août, 1876.

IL résulte de l'ensemble de ce rapport que, sauf de rares exceptions, le sort fait aux immigrants sur les divers établissements que nous avons visités, répond complétement aux vœux de l'Administration. Nous n'avons eu à constater de vraies infractions aux règlements que sur des habitations sans importance dont l'exploitation repayerait à peine leur propriétaire.

Nous sommes heureux d'ailleurs de pouvoir déclarer que, partout sur notre passage, les propriétaires ou régisseurs d'exploitations aurifères se sont montrés pleins de bonne volonté pour entendre les recommandations, ou écouter les conseils que nous inspirait la situation dans l'intérêt sanitaire des établissements. Ils semblent tous pénétrés de cette idée, juste d'ailleurs, que l'intérêt du maître est intimement lié à la santé de l'ouvrier et que l'immigrant ne fournit un travail réellement efficace qu'à la condition d'être bien traité.

(Translation.)

Extract of Report of Dr. Hemenry, one of the Commission for the Inspection of Immigration, on his Tour in the Districts of Tonnegrande, Montsinery, Macouria, and Roura.

August 5, 1876.

IT results from the general tenour of this Report that, with few exceptions, the condition of immigrants in the various establishments that we have visited agrees entirely with the views of the Administration. The only real infractions of the Regulations

which we have had to investigate were in the case of some unimportant dwellings from whence the trade would scarcely repay the expenses of their proprietor. With this exception we are happy to be able to declare that throughout the whole of our tour the proprietors and superintendents of gold workings showed themselves heartily willing to listen to the recommendations or advice on our part which were dictated by the circumstances of the case in view of the sanitary interests of the establishments.

They all appeared pervaded with the idea, and that, too, a very correct one, that the interest of the master is intimately connected with the health of the workman, and that good treatment is the only condition under which the immigrant supplies really effective work.

Inclosure 2 in No. 13.

Extrait du Rapport de M. l'Inspecteur de l'Immigration Bontan sur sa tournée dans les quartiers de Tonnegrande, de Montsinery, de Macouria, et de Roura.

Du 4 Août, 1876.

EN résumé, et comme considérations générales, M. le Directeur, sauf quelques rares exceptions, la situation faite aux immigrants sur les habitations ou placers est des plus acceptables. J'ai eu occasion depuis quatre ans de voir de nombreuses fois des ateliers de coolies, et je puis affirmer que leur situation actuelle est loin d'être ce qu'elle était autrefois. Les logements sont sains et relativement confortables, le couchage y est bon, et à peu-près partout pourvu de moustiquaires, les vivres de bonne qualité, et la ration règlementaire ; les salaires surtout très exactement payés.

Je crois devoir attribuer le manque de médicaments règlementaires sur un grand nombre d'établissements moins à la mauvaise volonté ou à l'incurie des engagistes qu'aux difficultés qu'ils éprouvent tant pour leur application que pour leur conservation. Du reste, la plupart des gens qui se trouvent à la tête de ces diverses exploitations ont, en général, affaire à des affections pour lesquelles ils ont des traitements spéciaux prises dans les ressources du pays, et dont le résultat, souvent favorable, n'offre pas les inconvénients que peut présenter l'emploi de médicaments plus actifs peut-être, mais parfois dangereux entre des mains inexpérimentées.

Sur tous les établissements un peu importantes il existe des tarifs de cessions approuvés par qui de droit, et dont le taux modique permet à l'immigrant de se procurer aisément tous les petits objets de luxe que n'accorde pas le règlement. On trouve en outre chez les propriétaires et régisseurs beaucoup de bon vouloir à accepter toute modification qui peut être utile à l'atelier, et à part certains coolies peu nombreux qui, par leur nature apathique et insouciante, rendent infructueux les soins qui leur sont donnés, l'aspect des travailleurs est celui de gens heureux. Le plus grand nombre acquièrent des habitudes de propreté, je dirai presque d'élégance, qui les rend tels qu'on n'a pas l'habitude de les voir à leur arrivée dans la colonie. Les réclamations sont à peu-près nulles de leur part, et tous en général s'accordent au contraire à rendre à leurs propriétaires des témoignages de satisfaction. Je me suis attaché dans mon inspection à bien démontrer aux immigrants que si l'Administration, dans sa sollicitude pour eux, exigeait qu'il leur fut donné largement tout le bien-être possible, elle entendait aussi qu'ils reconnussent la chose en contractant des habitudes de travail, d'obéissance, de respect, et de discipline nécessaires à la bonne tenue des établissements, et que protectrice rigoureuse de leurs droits elle reprimerait sévèrement aussi tout fait tendant à apporter le trouble dans l'atelier, et toute habitude de paresse non justifiée.

(Translation.)

Extract of the Report of M. Bontan, Inspector of Immigration, on his Journey in the Districts of Tonnegrande, Montsinery, Macouria, and Roura.

August 4, 1876.

TO sum up, M. le Directeur, as a general rule, with some rare exceptions, the position accorded to immigrants is as acceptable as possible. I have had the opportunity in the last four years on numerous occasions of seeing coolie workshops, and I am able to state that their present condition is far different from what it was formerly. Their dwellings are healthy and comparatively comfortable; their bedding is good and for the most part provided with mosquitoe curtains; their food is good in quality, and of regulation amount; and, above all, their salaries are paid very punctually.

I think that the want of regulation medicines is attributable not so much to the ill-will or carelessness of the employers as to the difficulties experienced in the application and the preservation of the drugs.

Further, the majority of the persons who find themselves at the head of these various undertakings are usually subject to complaints, for which they make use of special treatments drawn from the resources of the country, and the result of which, favourable in many cases, does not present the same inconveniences as the use of drugs, which, if perhaps more powerful, are often dangerous in the hands of inexperienced persons.

In all the moderately-important establishments there are tariffs of indulgences approved by the authorities, the moderate rate of which allows the immigrant to provide himself without difficulty with all the small luxuries not afforded by the Regulations.

Moreover, a great deal of good-will is shown by the proprietors and Directors in accepting any modification which is likely to be of service to the workshop, and with the exception of some coolies inconsiderable in numbers, whose apathetic and indifferent characters render the pains taken on their behalf useless, the aspect of the workmen is that of people who are happy. The majority of them acquire habits of cleanliness, I might almost say elegance, which makes them appear very different from what one is accustomed to see on their arrival in the colony.

There are scarcely any complaints on their part, and they all as a rule unite in testifying to their employers their contentment.

I made it my special object on my inspection to point out clearly to the immigrants that if the Administration, in its solicitude for their welfare, demanded that all possible comfort should be liberally afforded them, it expected them on their part to recognize the fact by acquiring the habits of industry, obedience, respect, and discipline necessary for the well-being of the establishments; and while a vigorous protector of their rights, it would at the same time repress with a strong hand everything likely to create trouble in the workshop and all habits of unjustifiable idleness.

Inclosure 3 in No. 13.

The Governor of French Guiana to the Minister of Marine and Colonies.

(Extrait.) *Cayenne, le 3 Septembre*, 1876.

PAR ma lettre du 3 Février, 1876, j'avais l'honneur de rendre compte à votre Excellence des nouvelles dispositions que j'avais cru devoir prendre en vue d'assurer, dans la plus large mesure possible, la protection des immigrants. Ces dispositions consistaient notamment dans la création d'une seconde Commission d'Inspection appelée à fonctionner simultanément avec celle instituée dès 1874, afin que tous les établissements qui emploient des immigrants pussent être visités désormais d'une manière permanente.

J'ai l'honneur de rendre compte aujourd'hui au Département des résultats très satisfaisants des inspections de l'immigration pendant le premier semestre, 1876.

Durant cette période, les deux commissions ont incessamment et simultanément fonctionné dans les quartiers les plus importants de la colonie, savoir: Kouron Macouria, Roura, Moarra et Maroni, Ile de Cayenne, Sinnamary, Tonnegrande et Montsinery: quelques unes de ces localités ont même été inspectées plusieurs fois quand cela a été nécessaire. En outre l'une de ces commissions est actuellement en tournée à Appronague et l'autre vient de partir pour Mana et les placers du Maroni.

L'ensemble de constatations faites jusqu'à ce jour par les inspecteurs et par les médecins qui les accompagnent démontre de la manière la plus évidente que la situation des immigrants s'est notablement améliorée, par comparaison avec les précédentes inspections. Il ne pouvait, en effet, en être autrement, si l'on considère qu'avec le système d'investigation inauguré depuis 1874, et complété cette année, partout où des irrégularités sont relevées, elles motivent des redressements dont l'application ess incessamment surveillée.

On peut donc dire que le bienfait des dispositions tutélaires des Arrêtés des 13 Juin, 1874, et 28 Janvier, 1876, devient chaque jour de plus en plus complet, de telle sorte que les inspecteurs n'auront plus bientôt, dans leurs tournées, qu'à s'attacher à faire petit à petit disparaître les derniers vestiges des négligences antérieurement reprochées à un grand nombre d'exploitations.

C'est ainsi que les établissements qui n'étaient pas pourvus d'infirmerie convénablement installée ont dû se hâter d'en construire pour échapper aux graves

conséquences de leur abstention ; les logements incomplets ou en mauvais état ont été réparés, ou sont en cours d'installation ; les délivrances des vêtements en retard ont eu lieu ; le couchage insuffisant a été modifié ; l'approvisionnement des magasins en vivres et en médicaments a été l'objet de notables améliorations ; enfin le règlement des salaires a motivé, partout où il ne se faisait pas régulièrement, des mises en demeure qui ont généralement amené des résultats conformes aux intérêts des travailleurs et à la légalité.

Telle est, M. le Ministre, la situation exacte sur la généralité des exploitations, et je me hâte d'ajouter que les rares exceptions qui subsistent encore sont de la part du syndicat protecteur, toujours en éveil, l'objet de poursuites en résiliation de contrats.

J'ai, en outre, la satisfaction de constater que la mauvaise situation sanitaire des coolies elles-mêmes, qui était du, en grande partie, il faut le reconnaître, aux difficultés inhérentes à l'acclimatement, tend chaque jour à se modifier sensiblement.

A tous ces bons résultats nous ne tarderons pas, M. le Ministre, à pouvoir ajouter ceux que nous devons légitimement attendre des deux nouveaux hospices, dont la création dans les quartiers de Mana et de Sinnamary a été aussi prévue par l'Arrêté du 28 Janvier, 1876, le premier est en fonctionnement, et le second en voie d'installation. Nous pourrons donc désormais, dans ces deux localités importantes, recueillir et soigner immédiatement les immigrants gravement malades qui descendent des placers, au lieu de les laisser repartir pour Cayenne, souvent au grand risque de voir ce retard aggraver leur état.

En somme, la situation actuelle est satisfaisante et elle promet de ne plus laisser aux doléances antérieures du Gouvernement Anglais le moindre motif sérieux de se produire, mais ces résultats n'ont pas été obtenus sans de persévérants efforts, sans de légitimes sévérités produites ou arrêtés à propos, ou même parfois poussées jusqu'à une punition exemplaire.

C'est ainsi que, antérieurement à 1876, le Comité d'Inspection avait eu à constater des faits graves sur le placer de Georgis situé à Roura ; les coolies ne recevaient aucun soin, les rations étaient incomplètes, et les vivres de mauvaise qualité ; enfin, les travailleurs n'étaient pas payés depuis plusieurs mois et n'avaient reçu ni vêtements ni objets de couchage depuis un an, nonobstant les recommandations les plus pressantes du Commissaire de l'Immigration. Le Syndicat Protecteur adressa au mandataire de l'engagiste, alors absent de la Colonie, les mises en demeure règlementaires, et au moment où les poursuites en vue du retrait de ses travailleurs allaient avoir lieu, le concessionnaire du placer arrivait à Cayenne et se hâtait de prendre des mesures radicales pour faire cesser les abus. Il révoquait son mandataire, congédiait le directeur du placer, faisait payer les salaires des immigrants, qui furent mêmes indemnisés en raison de ce qu'ils avaient souffert. Les vêtements et les effets de couchage furent immédiatement délivrés, les magasins de vivres furent approvisionnés et les réparations ou la construction des logements furent immédiatement commencées. De telle sorte que, aujourd'hui, cet établissement est complètement régénéré et les immigrants recevant avec exactitude tout ce qui leur est dû, y sont très satisfaits de leur sort.

A Macouria, l'habitation Vigné, livrée aux mains d'un fermier dénué de ressources, occupait onze Indiens qui vivaient dans le plus complet dénûment. Une mise en demeure ayant été fait sans résultat, la résiliation des contrats a été prononcée et les coolies ont été placés chez d'autres engagistes, après avoir reçu le montant de leurs salaires arriérés.

A Sinnamary, le placer Bérard et Cie. occupait un certain nombre d'Indiens qui, depuis la mort de M. Bérard, étaient délaissés par ses co-associés, dont aucun ne voulait prendre charge de l'établissement ; or, ces travailleurs obtinrent, par l'intermédiaire du Syndicat Protecteur, la résiliation de leurs contrats et furent placés, par les soins de l'administration, chez d'autres engagistes qui eurent à les indemniser pour les salaires qui leur étaient dus.

Dans le même quartier, M. Meussier n'avait pas payé et délivré des vêtements à ses travailleurs. Il allait être poursuivi en résiliation d'engagement, lorsque, allant au devant de la mesure, il céda son placer à une société à laquelle les coolies furent transférés, après avoir reçu ce qui leur était dû en salaires et en vêtements.

Quelques autres manquements, de peu d'importance d'ailleurs, voies de fait ou sévices peu graves, de la part des engagistes ou de chefs d'établissements envers des travailleurs, ont amené des condamnations correctionnelles ou de simple police, qui ont toujours entraîné la résiliation des contrats.

D'un autre côté, plusieurs autres différends se sont produits, en matière de règlement de salaires, entre engagistes et engagés ; mais tous, ou presque tous, ont été conciliés, soit par l'intermédiaire du Commissaire de l'Immigration, soit devant le

Syndicat Protecteur; quelques-uns seulement ont été portés devant le Juge de Paix et la partie lésée a toujours reçu satisfaction.

Ainsi que le voit votre Excellence, grâce au système actuel des inspections permanentes, aucun manquement sérieux ne pourra désormais échapper aux investigations administratives, et tout permet de croire que ces manquements seront de plus en plus rares, la sévérité de la répression étant de nature à modifier les dispositions des engagistes les plus rebelles à l'application de nos règlements, si conformes à la fois aux devoirs de l'humanité et aux vrais intérêts du pays.

Je crois devoir joindre à la présente lettre deux extraits des rapports de l'Inspecteur et du médecin qui ont fait la dernière tournée à Roura; ils résument en quelques lignes et de la manière la plus précise les résultats généraux déjà obtenus.

Comme vous le voyez, M. le Ministre, en faisant ressortir la situation en général satisfaisante du régime actuel de l'immigration, j'ai tenu à faire ressortir les quelques faits graves, soit anciens soit nouveaux, que l'administration a eu à réprimer cette année; ce qu'elle a fait, grâce à l'utile et puissante assistance de l'autorité judiciaire avec une sévérité dont, je le répète, les effets ne tarderont pas à se faire sentir complètement.

Ces faits, au reste, ne sont pas nombreux, si l'on considère la dessémination considérable de nos ateliers répartis sur un nombre d'exploitations d'environ 110 et sur une surface de territoire qui n'a pas moins de 340 kilomètres de longeur sur 160 kilomètres de profondeur.

Aussi n'hésite-je pas à dire que la surveillance et la répression que peut exercer aujourd'hui si utilement l'administration est due en majeure partie à la création de nos deux inspections. Par leur fonctionnement permanent, elles tiennent les engagistes en garde contre les abus auxquels ils pourraient s'abandonner souvent par pure négligence, car je me hâte de l'ajouter, en général les habitants sont soucieux de l'accomplissement de leurs devoirs, et à la Guyane l'immigrant est aussi heureux et possède, sous certains rapports, plus d'avantages que dans les autres colonies.

(Translation.)

(Extract.) *Cayenne, September* 3, 1876.

IN my letter of the 3rd February, 1876, I had the honour to give your Excellency an account of the new arrangements which I thought it my duty to take with a view to insuring to the fullest extent possible the protection of the immigrants. These arrangements consisted notably in the creation of a second Commission of Inspection called upon to act simultaneously with that instituted in 1874, so that all establishments which employ immigrants might henceforth be visited in a permanent manner.

I have the honour to-day to give an account to your Department of the very satisfactory results of the inspections of immigrants during the first six months of 1876.

During this period the Commissions have been incessantly and simultaneously employed in the most important quarters of the Colony, viz., Kouron, Macouria, Rama, Moarra, and Maroni, Isle of Cayenne, Sinnamary, Tonnegrande and Montsinery; some of these places have even been inspected on several occasions, when that was necessary. Moreover, one of these Commissions is at present on a tour of inspection at Appronague, and the other has just started for Marca and the districts of Maroni.

The general tenour of the results arrived at up to the present time by the Inspectors and by the medical men who accompanied them, proves in the clearest manner that the condition of the immigrants has undergone a marked improvement, by comparison with previous inspections. It is impossible, indeed, to be otherwise, when we consider that, under the system of inspection inaugurated since 1874, and completed this year, wherever irregularities have arisen, they give rise to remedial improvements, the application of which is unceasingly watched.

One is entitled to say, then, that the benefit of the protective arrangements of the Acts of the 14th June, 1874, and 26th January, 1876, are increasing day by day in efficacy, insomuch that the inspectors will shortly, upon their tours, have only to make it their object to cause the gradual disappearance of the last traces of those neglects which formerly were the reproach of so large a number of works.

It was thus that establishments which were not provided with a suitably equipped infirmary were compelled to construct one in haste in order to avoid the serious consequences entailed by their want of one. The lodgings which were incomplete, or in bad condition, have been repaired, or in course of completion; the supply of clothing which was in arrears has been issued; the insufficient sleeping accommo-

dation has been improved; the supply of provisions and medicines for the shops has been the subject of marked improvements; finally, the regulation of salaries has been the cause of the issue of intimations to pay (mises en demeure) in all cases where payments had been irregular, which have brought about results in accordance with the interests of the employés and with justice.

Such, M. le Ministre, is the precise condition of things in the majority of the establishments, and I hasten to state that the few exceptions which still remain are the objects of prosecution for the cancelling of contracts at the hands of the Protecting Syndicate, who are always on the alert.

I have further the satisfaction to assure you that the bad sanitary condition of the coolies themselves, which it must be admitted was in a great degrée due to the inherent difficulties of acclimatization, has a perceptible tendency to improve from day to day.

In addition to all these good results we must add those which we have a right to expect from the two new hospitals, the establishment of which was also provided by the Decree of 28th January, 1876, the first of which is now in working order, and the second is in process of organization. We shall be able then henceforth, in these two important localities, to collect and care for immediately the serious cases of sick immigrants who have the places, instead of allowing them to leave again for Cayenne, often with the serious risk of seeing the condition made worse by the delay. To sum up, the present state of things is satisfactory, and gives promise of not affording the slightest serious ground for the previous complaints of the English Government; but these results have not been obtained without persevering efforts, without acts of legal severity brought into action or decreed on purpose, and sometimes even carried to the extent of an exemplary punishment.

It was thus that, previous to 1876, the Committee of Inspection had to investigate some serious facts connected with the placer of Georgis, situated at Roura; the coolies received no attention whatever, their rations were imperfect, and the food bad in quality; in short, the workmen had been unpaid for several months, and had received neither clothes nor bedding for a year, notwithstanding the most urgent remonstrances on the part of the Immigration Commissioners.

The Protecting Syndicate addressed to the agent of the employer, who was then absent from the Colony, formal intimation to pay, and at the very moment when the prosecutions in view of the retirement of the workmen were about to take place, the concessionnaire of the placer arrived at Cayenne and hastened to take radical measures to put an end to these abuses. He cancelled his agent's appointment, dismissed the director of the placer, caused the the immigrants' salaries to be paid, and the coolies themselves to be indemnified for their sufferings. Clothes and bedding were at once issued, the provision shops were re-victualled, and the repairs or new building of lodgings was set on foot at once. So much so, that, at the present time the establishment is entirely re-organized, and the immigrants, who now receive punctual payment of what is due to them, are well satisfied with their condition there.

At Macouria, at the "habitation Vigné," which had been handed over to a broken-down and ruined farmer, there were eleven Indians who were living in the most utter destitution. An intimation to pay had been issued without effect, the contracts had been pronounced void, and the coolies had been placed with other employers after receiving the amount of their arrears of salary.

At Sinnamary, in the placer of Berard and Co., there were living a certain number of Indians, who, since M. Berard's death, had been abandoned by the other partners of the firm, none of whom would take charge of the establishment; yet, thanks to the intervention of the Protecting Syndicate, these labourers obtained a cancelling of their contracts, and were placed by the cares of the Administration under fresh employers, who had to indemnify them for the salaries which were owing to them.

In the same quarter M. Meussier had neither paid nor supplied clothing to his workpeople. He was about to be prosecuted with a view to cancelling his engagement, when, in anticipation of this measure, he made over the placer to a Company, to whom the coolies were transferred, after having received the pay and clothing which was due to them.

Some other derelictions, and of small importance, moreover, acts of violence, or slight ill-usage on the part of contractors or heads of establishments towards their employés, have brought about judgments from the Court of Correction or the Police Court, which have always involved an annulment of the contracts.

In another quarter, several other differences arose regarding the regulation of

salaries between the employers and their workpeople; but all, or almost all, of these were brought to a satisfactory settlement either by the intervention of the Immigration Commissioners, or before the Protecting Syndicate; only a few of them were carried before the Justice of the Peace, and the injured party always obtained satisfaction.

Thus, as your Excellency sees, thanks to the present system of permanent inspections, no serious dereliction can henceforth escape the investigations of the authorities, and everything gives reason to expect that these derelictions will become more and more rare, for the severity in repressing them is such as to mould the inclinations of the most unruly contractors to the application of our regulations, which are at once so much in harmony with the duties of humanity and the true interests of the country.

I think it right to annex to the present letter two extracts from the reports of the inspector and doctor who made the last tour to Roura. They condense, in a few lines, and in the most accurate manner, the general results hitherto obtained.

As you see, M. le Ministre, while bringing out in relief the generally satisfactory state of the present system of immigration, I have made a point of bringing out also those few serious cases, whether of old standing or of recent date, which the Administration has had to correct during this year, a course which they have pursued, thanks to the useful and powerful assistance of the judicial authority, with a severity which will, I repeat, make its effects felt without delay.

These cases, moreover, are not numerous, when you consider the very scattered condition of our workshops, distributed over a number of about a hundred works, and over an area of country of not less than 340 kilom. in length, by 160 in breadth.

Furthermore, I have no hesitation in saying that the supervision and repression, which the administration is enable to exercise at present with such good effect, is for the most part due to the organization of our two inspections.

By this permanent action, they keep the contractors on their guard against the abuses to which they might often give way out of mere carelessness, for I must add that in general the inhabitants are attentive to the performance of their duties, and that in Guiana the immigrant is as happy, and in some ways possesses even more advantages than in other Colonies.

No. 14.

Consul Wooldridge to the Earl of Derby.—(Received January 27.)

My Lord, *Cayenne, January 3, 1877.*

I THINK it right to inform your Lordship that an announcement has appeared in the official journal of this Colony, dated the 9th ultimo, stating that the recruiting of coolies in British India for emigration to French Guiana has been prohibited by Her Majesty's Government.

I have, &c.
(Signed) FRANK WOOLDRIDGE.

No. 15.

The Marquis d'Harcourt to the Earl of Derby—(Received May 4.)

M. le Comte, *Londres, le 3 Mai, 1877.*

JE prends la liberté d'appeler de nouveau l'attention de votre Excellence sur le grave préjudice qu'apporte aux intérêts de notre Colonie de la Guyane l'application d'une mesure du Gouvernement de l'Inde, en vertu de laquelle le service de l'émigration Indienne à destination de cette colonie a été suspendu dans le courant du mois d'Octobre dernier.

Me référant aux communications de cette Ambassade, je propose à votre Excellence de vouloir bien provisoirement provoquer la levée des obstacles apportés au départ des convois de coolies qui devaient partir de Pondicherry au mois d'Octobre, et dont l'embarquement a été retardé depuis cette époque.

Une semblable décision n'engagerait en rien les résolutions à venir du Gouvernement de Sa Majesté, et permettrait de poursuivre l'enquête ouverte sur les conditions

sanitaires de l'établissement des coolies à la Guyane. Le Gouverneur de notre colonie vient, au reste, d'instituer une Commission chargée de procéder, sous la présidence du Procureur-Général près la Cour d'Appel, à une enquête approfondie sur les faits qui paraissent avoir éveillé la sollicitude du Gouvernement Britannique. Cette mesure toute spontanée est une preuve nouvelle des sentiments dont s'inspire notre Administration Coloniale à l'égard des sujets de la Reine.

Veuillez, &c.
(Signé) D'HARCOURT.

(Translation.)

M. le Comte, *London, May* 3, 1877.

I TAKE the liberty of calling your Excellency's attention afresh to the serious detriment entailed on the interests of our Colony of Guiana by the application of a measure of the Government of India, in virtue of which the emigration service from India to this Colony was suspended during the course of October last.

With reference to (previous) communications from this Embassy, I would suggest that your Excellency should have the goodness to take measures provisionally for the removal of the obstacles placed in the way of the departure of the batches of coolies who ought to have left Pondichery in the month of October, and whose embarcation has been delayed since that time.

Such a decision would not bind in any respect the future resolutions of Her Majesty's Government, and would allow the investigation now entered upon with respect to the sanitary condition of the coolie establishments in Guiana to be carried out. The Governor of our Colony, moreover, has just established a Commission, whose duty it is, under the direction of the Procureur-Général of the Court of Appeal, to proceed to a thorough investigation of the facts which appear to have excited the anxiety of the English Government. This measure, which is quite spontaneous, is a fresh proof of the sentiments by which our Colonial Administration is animated with regard to the Queen's subjects.

Accept, &c.
(Signed) D'HARCOURT.

No. 16.

Sir J. Pauncefote to Sir L. Mallet.

Sir, *Foreign Office, May* 11, 1877.

WITH reference to previous correspondence on the subject of the stoppage of the emigration of coolies from Pondicherry to the French Colony of Guiana, I am directed by the Earl of Derby to request that you will inform the Secretary of State for India in Council that the French Ambassador in this country has again represented with great urgency the serious loss and inconvenience which will be inflicted on that colony if permission is not granted for the coolies to proceed to their destination who were assembled at Pondicherry in the month of October last, and who were prevented from embarking in consequence of the orders issued by the Indian Government putting a stop to the recruitment of coolies French Guiana.

His Excellency states that the desire of his Government is that the regulations enforcing that stoppage may be temporarily suspended, and adds that the Governor of French Guiana has appointed a Commission to inquire into all the circumstances relating to coolie life in that colony which have caused the anxiety felt on the point by the Indian Government.

Under these circumstances, and in view of the desire shown by the French Government to meet the wishes of the Indian Government, Lord Derby would be glad to learn that the Indian Government are able to extend in respect of this shipment of coolies the same indulgence they recently granted to the Netherlands Government with [redacted]d to a shipment to Surinam, on such terms as the circumstances of the case ma[redacted]

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 17.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, May* 11, 1877.

I HAVE communicated to the Secretary of State for India the roquest contained in the note which your Excellency did me the honour to address to me on the 3rd instant that the obstacles which are at present placed in the way of coolies immigrating from Pondicherry to the French Colony of Guiana may be removed, and I trust shortly to be in a position to forward to your Excellency a favourable reply on this question.

I have, &c.
(Signed) DERBY.

No. 18.

Consul Wooldridge to the Earl of Derby.—(Received May 25.)

My Lord, *Cayenne, April* 11, 1877.

I HAVE the honour to forward herewith my report on the condition of coolies in French Guiana, during the year 1876, which also comprises the second half-yearly mortality report.

I beg to state that a copy of the above has been forwarded by me direct to the Indian Government.

I have, &c.
(Signed) FRANK WOOLDRIDGE.

Inclosure in No. 18.

Annual Report (including the Second Half-yearly Mortality Report) on the Condition of Indian Immigrants in French Guiana.—Year 1876.

THE return of the mortality among the Indian immigrants during the second half of the year 1876, as supplied to me by the Indian Immigration Department, shows, if not a further improvement of consequence on that of the first half of the same year, at least that there has been no retrogression from the favourable sanitary and social position of the coolie population in French Guiana as reported by me last half.

2. The mortality between the 1st July and 31st December, 1876, has been as follows:—

Population on 1st July, 1876	3,593
Births during 2nd half of 1876	38
Total	3,631
Deaths during 2nd half of 1876	144
Death-rate per cent.	3·96

Of the above deaths 126 were adults, and 18 non-adults; 105 males, and 39 females.

3. Of the last arrival in 1876 (per "Dunphaile Castle," 12th May), 42 deaths figure in the above total, being 9·9 per cent. loss on her complement brought. This proportion is more favourable than that among the complement arrived per "Marie Laure" at the same period in 1875, having been 73 out of 351. The next largest figure among the deaths is noticed among the arrivals from Calcutta in the early part of the year 1874, viz., 36 deaths. Again, 38 of the total were those of old coolies who had arrived in the colony before the year 1867, and on the whole the death-rate, through acclimatisation, does not appear to be excessive nor so large as in former introductions.

4. No coolies have been introduced into the colony during the second half of the year 1876. The "Marie Laure" appeared off the port on the 8th November, but as she had small-pox on board, she was ordered to undergo a quarantine at one of the islands and land her coolies there, and, as they were only brought to Cayenne on the

4th January, 1877, this complement will appear in my next half-yearly report at the end of June.

The death-rate per cent. during the second half of 1875 was	5·66
The death-rate per cent. during the second half of 1876 was	3·96
Difference in favour of 1876	1·70
The death-rate per cent. during the first half of 1876 was	3·75
The death-rate per cent. during the second half of 1876 was	3·96
Difference in favour of first half	0·21

5. The total death-rate per cent. per annum during the last three years was as follows:—

1874 (when 4 vessels arrived)	12·50
1875 (when 1 vessel arrived)	12·15
1876 (when 1 vessel arrived)	7·58

And there is no doubt that the year 1876, identical as it has been with 1875, as regards the coolies introduced, the ports of departure and the arrivals in the same months, and that the complement in 1876 exceeded that in 1875 by 72, shows a more favourable result in the coolie situation. As I mentioned in my last half-yearly report, I only hope that this gradual improvement may be due to the more constant watch kept over the coolies' interests; for, as far as I can judge, the local government continues firmly to prosecute employers who act unjustly towards their coolies, and as for the cases which have come before me during the year 1876, to the number of 69, by coolies against their employers, which I have, in my turn, brought before the Administration for Adjudication, I find by my register-book of complaints that they were all settled satisfactorily, with one grave exception, in which the law failed apparently.

6. The mortality at the different quarters during the second half of 1876 was as follows:—

	Deaths.
Approuague	6
Kaw	3
Macouria	2
Mana	29
Roura	7
Sinnamary	16
Tonnegrande	1
Oyapock	2
Ile de Cayenne	17
Town of Cayenne	61
Total	144

7. It will be remarked that the mortality at Approuague has greatly decreased the last two years, as follows:—

Mortality at Approuague during 1st half of 1875	106
,, ,, ,, 2nd ditto	40
,, ,, ,, 1st half of 1876	29
,, ,, ,, 2nd ditto	6

Which is owing to the labourers being mostly acclimatised, and to the "Grande Compagnie d'Exploitation Aurifère et Agricole" at Mataroni only having increased the strength of its establishment since 1874 by sixty-three hands. The slight increase in the mortality at Mana is doubtless due to the presence of new goldfields being worked in that unhealthy spot, and to a consequent addition to the number of labourers engaged to work in that locality. In the town of Cayenne, the large proportion of sixty-one in the total mortality is owing, as stated in former reports, not to the greater insalubrity of the place over the other quarters, but to the fact that invalids, some in an almost dying state, have been forwarded to Cayenne from the other quarters, and have died in the hospitals. Yellow fever made its appearance in the town of Cayenne in the month of November, but no coolies have been attacked by it, and it seems to be generally recognised and almost beyond doubt that coolies are not amenable to this peculiar disease, though they are liable to attacks from the country fever.

8. During the second half-year of 1876, fifty-two transfers took place from one

employer to another, and only eighteen re-engagements at the Immigration Office, for the following periods :—

	Re-engagements.
For seven years	2
„ five „	3
„ three „	1
„ two „	4
„ one year	8
Total	18

9. The total number of immigrants existing in the Colony on the 31st December, 1876, was as follows :—

Male adults	2,088
Female adults	889
Children of both sexes under ten years of age..	510
Total	3,487

10. The total number of immigrants introduced during the year 1876 was as follows :—

Male adults	261
Female adults	118
Children under ten years of age	44
Total	423

11. The mortality on the voyage amounted to :—

Adults, male	2
„ female	2
Children	1
Total	5

12. The mortality among the immigrants, through acclimatisation, introduced during the year 1875 was, for that year (the first of acclimatisation), May to December, 20·8 per cent.; and among the same for the second year (1876), 12·23 per cent.

13. The mortality among the immigrants, through acclimatisation, introduced during the year 1876, May to December, was 9·9 per cent.; and during the periods 1873-1876, inclusive, the average rate of mortality among arrivals was as follows :—

First year..	13 per cent.
Second year	19 „

But an average calculation over a number of years gives no just idea of the mortality caused by the effects of the climate or work; there is neither similarity in the seasons nor in the complements of coolies introduced, nor as regards the work to be done; and no comparison can be drawn between some of the parts where coolies are employed and others. Some are pretty healthy, others are deadly.

14. The mortality of the immigrants, as compared with that of the creole labourers is 9 to 4, or thereabouts.

15. The number of marriages contracted among the Indian population during the year 1876 was 7.

The number of births, 38.

The number of immigrants working at the gold washings during the year was as follows :—

Under first indenture	1,249
„ reindenture	1,087
Without indenture	96
Total	2,432

The number of immigrants working at agricultural estates and other but gold industry was as follows :—

Under first indenture	585
„ reindenture	417
Without indenture	53
Total	1,055

16. Coolies are quite unable to work their twenty-six days per month regularly; both the climate and their own aversion to work are obstacles, and the average labour done is fourteen days per month. The wages earned at the gold-washings by coolies under first indenture are, for the first year, 12 fr. 50 c. per month, and for the next four years 17 fr. 50 c. per month. The wages earned by those at agricultural estates and at ordinary industry are 12 fr. 50 c. for the whole five years of first indenture. Those who re-indenture make their own bargains and are paid according to the work done, or their capability of endurance. Some make 30 fr., others 47 fr. per month of fourteen days. Under these circumstances, a coolie's first indenture for five years, or 1,560 days, cannot expire until he has passed some ten years in the Colony. Very few coolies under re-indenture, or without indenture, apply to me for redress. A coolie, when once he has passed his first indenture, must be perfectly acclimatised, is accustomed to the place and the work, is tolerably acquainted with the Creole language, and is quite able to take care of himself, as regards re-engaging and valuing his own services. Those under first indenture alone require my good offices and protection. The most favourable length of time for which coolies re-indenture is one year.

17. There were 86 complaints brought during the year to the Immigration Office by employers against coolies, and 79 by coolies against employers; being, on part of the employers, for desertion, refusal to work, and insubordination, and, on that of the coolies, for non-payment of salaries, blows, not feeding them, neglect when ill, and general ill-treatment. Two were very serious cases of neglect, in which many coolies lost their limbs, and others died. One was brought before the Law Courts, and penalties suffered; the other, through the incapacity or unwillingness of the then Procureur of the Republic to obtain justice for the coolies, or to the inadequacy of the law, fell through, and nothing, either as punishment of the culpable employers, or indemnification to the wronged, has been done. These two cases were fully reported by me at the time.

18. On the 31st December, 1876, there were 238 immigrants awaiting an opportunity to return to India.

19. No coolies left Cayenne during the year 1876 with free return passage to India.

20. No immigrants have received land in commutation for having renounced their right to free back passages; in fact, that method of dealing with coolies who have served their time has never been seriously carried out; at all events, it has become quite obsolete. Those who have waived their right temporarily have re-indentured, and received a proportionate sum of money, according to the length of time engaged.

21. No means of education are provided for immigrant's children, their moral welfare being entirely overlooked by the Administration and uncared for by their employers.

22. I mentioned in last year's Report that the local Government were about to establish hospitals at the "bourgs" of Mana and Sinnamary. I now have to report that the hospital at Mana has been completed and is in good working order, whilst that at Sinnamary is rapidly progressing. The object in erecting them is principally to receive sick coolies coming down from the placers, thus avoiding for them the killing voyage (with deteriorated health and with actual fever upon them) from those places to Cayenne, in small tapouyé boats for days together on the open sea, on a crowded deck without shelter from the sun and rain day and night. Other invalids may be admitted at these hospitals, but only if it be convenient. The sum of 2 fr. 25 c. is charged per day per coolie, which has to be paid by his employer. According to a resolution comprising twenty-nine Articles relative to the creation of these hospitals by the Governor in Council on the 20th October, 1876, it appears that medical officers of the marine have been appointed to superintend them, and that sisters of charity are attached to them. The Arrêté states the emoluments of the medical officers and the quantities of rations allowed to the sisters and others employed therein; how admission is effected; the price to be paid for invalids; and that indigents may be admitted in exceptional cases, a fifth part of the accommodation being kept vacant for these cases. It states, also, the measures to be taken to recover payment of expenses from employers; and in case of death at the hospitals proper sepulture is provided for. The invalids are boarded, as nearly as possible, according to the tariff of food at the hospitals at Cayenne, and medicines are furnished, as well as beds and other necessary furniture, by the Administration; and every month reports are made by the chief medical officers to the Director of the Interior. These praiseworthy measures are, no doubt, the means of saving the lives of many sick coolies who would otherwise succumb if forwarded, as has hitherto been done, from their working establishments

direct to Cayenne, through all weathers, having no places of refuge at the "bourgs."

23. The Administration, again, with the object of sending coolies to work at agricultural estates in preference to the mines, has again augmented the cost of introduction to be paid by those demanding coolies for the latter places, as follows:—

At Gold Washings.

	Fr.	c.
For every male adult	300	00
„ female adult	292	50
„ non-adult	277	50

At Ordinary Industry.

For every male adult	150	00
„ female adult	142	50
„ non-adult	127	50

At Agricultural Estates.

For every male adult	100	00
„ female adult	92	50
„ non-adult	77	50

And, in October last, at my suggestion, the public was warned that, at the allotments of the expected arrivals per "Marie Laure," "Mars," and "Berryer," no employer would be allowed to remove any of his coolies from the depôt until he had satisfied the Administration, under certificate, that the installation of huts, bed-places, &c., for the reception of their labourers, either at agricultural estates, or gold-washings, were properly prepared; and that all requirements, such as provisions, clothing, medicines, &c., were duly made, so that on their arrival they should be in want of nothing that their position demanded.

24. I think it right to mention in this Report, as it passes under the eyes of the Supreme Government of India, the necessity I feel for a special interpreter of capability, to be attached to the coolie Department of the Consulate, who may be intelligent enough to represent me on certain occasions, such as the accompanying, if necessary, the inspectors on their visits to the "placers," or at an inquiry at any of these places, which I often have to demand. This appointment was, I believe, a suggestion, or direct wish, on the part of the Indian Government in the early part of the year 1875, and was communicated to me by the Foreign Office in July of that year, when I was requested to inform Her Majesty's Secretary of State for Foreign Affairs the amount of salary I considered should be attached to the appointment of an interpreter in the event of a native of India being deputed to the Colony of French Guiana to act in that capacity, to which I duly replied; and, in the month of May last, I received a despatch from the Consular Agent at Karikal informing me that he had been instructed to procure and send to me an interpreter, but as he was not able to find one, he had, instead, recommended to me five among the coolies then embarking on board the "Dunphaile Castle" for Cayenne, fixing the salary himself at 30 rupees a-month, rising every year. In consequence of this letter I chose one of the coolies, and the Governor, in consideration of the special work on which the coolie was to be employed with me, waived all claim to the cost of introduction and directed him to be delivered to me free of all charges for passage; and I have since employed him as my interpreter at that salary, though it is insufficient, as I am obliged partly to maintain him. I replied to the Consular Agent's letter, informing him that I had chosen one of the coolies he had recommended, and requested him to let me know how his salary was to be drawn by me, but I have received no further communication on the subject. This coolie, however, whom I chose *faute de mieux* as interpreter, is of very little use to me, being of low caste and utterly ignorant. What I require is a professional interpreter from India with a knowledge rather of French than English, or if no such can be procured I beg to suggest that I may be authorized to seek for one myself among the free coolies of the Colony. I trust I may be pardoned for introducing anything of a personal nature in this Report, but I should not have done so were an intelligent interpreter not necessary to my carrying on my duties in behalf of Her Majesty's Indian subjects. Emigration to Cayenne is stopped, but it should be borne in mind that there will be, when the last complement from the "Berryer" is landed, nearly 4,500 coolies under my care in the Colony, most of whom are under first indenture and residing at distances where it would be impossible for me to go, and thus absent myself from Cayenne for two months at a time.

25. An opinion appears to be prevalent that the soil is becoming exhausted, or less productive in gold. It is a fact that but few "placers" now pay their way, and those few have been almost exceptional from the beginning. The land has yielded gold now for more than twenty years; but considering the comparatively small space on which this peculiar industry is worked, and the thousands of acres that remain to be prospected; and that new gold-fields in the north of the Colony are discovered, it seems hazardous to make such a declaration. Should it, however, be eventually proved that gold washing is no longer remunerative, since agriculture has been almost entirely abandoned of late years, and that where plantation formerly stood now thrives a vigorous bush and youthful forest, our coolies, on whose behalf only I make these observations, will find themselves in a critical position, with no agricultural work to turn their hands to. It is a noticeable fact, that few coolies are reindentured for more than one year to owners of "placers" now, the reason of which may be the result of calculation and a prudent anticipation that their grants may not, shortly, require labourers at all.

26. In my last year's Report I mentioned a discussion which had taken place in the Chamber of Agriculture, Commerce, and Industry, on a motion by one of the members regarding the position of the coolie after his first term of indenture should have expired; and that I had expressed my disapproval of any such proposition being adopted, as I considered it disadvantageous to the coolies in general, who would be immediately liable to the payment of taxes, and would be deprived of the benefit of the good offices of the Immigration Bureau and the Syndicat Protecteur. Besides, not only would the immigration "caisse," but the whole immigration system suffer, and I did not believe such a motion would be carried. In subsequent discussion it was sought to show, by the proposer of the motion and his supporters, that great benefit would accrue to the coolies' position on becoming absolutely free after his first term of service, and occupying the enviable position of a citizen of France. As it is, the coolies are free when once they have passed their term of indenture; but, in order that they may not fall into vagabondage, should there be no immediate opportunity for sending them back to India, they are strongly recommended to reindenture, if only for one year, or for the time that may elapse before an opportunity occurs for leaving the Colony. This motion was disputed in the name of the general interests of the country, and on account of the existence in force of a local Arrêté, promulgated in 1860, modifying former rules which obliged coolies who had finished their five years term of service to repatriate at once, or to accept the bounty and become free labourers. The Arrêté admits the coolie's right to repatriation on finishing his time, allows him to renew his Indian contract for another five years, with an increased salary if he is a good workman, and again to renew it if he feels inclined, and to reserve his right to a free back passage at the end of the second or third contract; and, as an inducement to him to renew his contracts, he is paid down, on signing, a certain sum of money according to the length of time he engages for. This I believe to be in accordance with the policy of the Indian Government which would prefer to see the coolies, already accustoned to the climate and to the country, kept at work (the object for which they left India), in preference to their returning to India, after their first term of indenture had expired, as poor as they came. It is advantageous for the coolies themselves, and for the country, as it allows employers who have retained their coolies during the whole of the first term of indenture and who know thoroughly their work, to re-engage their services, rather than be obliged to replace them by new labourers, with all the attendant risks of acclimatisation. The motion, as I apprehended, was finally rejected, as not only all the benefit of the Arrêté would be lost to the country, but the Convention of July 1861, and various other Decrees and Arrêtés were obstacles to it.

27. In conclusion, I consider the position of the coolie to be improving, mortality is decreasing, and the administration continues to do its best in behalf of the Indian labourers, whilst a steadily increasing consideration is shown for them. A great blow has been received by the Colony by the suppression of immigration to Cayenne; but it was a necessary and righteous act under the circumstances of the climate and the general ill-treatment to which coolies were subjected by certain employers. The administration has not, however, on that account, relaxed any or its efforts, or treated my representations with less attention and courtesy than before.

(Signed) FRANK WOOLDRIDGE, *Consul.*

Cayenne, January 11, 1877.

No. 19.

The Marquis d'Harcourt to the Earl of Derby.—(Received May 26.)

M. le Comte, *Londres, le 25 Mai*, 1877.

DANS le courant du mois d'Octobre 1876 le Gouvernement de l'Inde a prescrit la cessation de tout recrutement d'immigrants à destination de la Guyane Française. D'après des correspondances parvenues au Gouvernement de Sa Majesté, cette mesure aurait été motivée par la mortalité sévissant sur les coolies Indiens employés dans notre colonie, ainsi que par la situation précaire qui leur serait faite sur les placers. En présence de la décision prise et des motifs qui l'avaient provoquée, le Gouverneur de la Guyane a nommé, vous le savez, M. le Comte, une Commission d'Enquête qui, sous la présidence du Procureur-Général, a été chargée de se rendre compte des circonstances qui ont motivé l'interdiction. La mesure prise par les autorités de l'Inde était d'autant plus inattendue que, de l'initiative même de l'administration locale, des dispositions avaient été prises pour assurer la protection des immigrants, et que deux Commissions allaient simultanément fonctionner en ce sens dans les quartiers les plus importants de notre colonie.

J'ai eu l'occasion, à plusieurs reprises, d'appeler l'attention de votre Excellence sur ces faits, d'insister pour que l'immigration à la Guyane fût autorisée ou que les convois prêts à partir pûssent être embarqués sur le champ.

M. Gavard, de son côté, a entretenu le Foreign Office de la même demande, et en suite de ses réclamations l'affaire paraissait être, il y a un mois, entrée dans une bonne voie et une décision favorable semblait prochaine. Toutefois, le Gouvernement de Sa Majesté n'ayant pas cru devoir donner encore à notre réclamation une solution que nous entrevoyions, et les deux convois qui étaient prêts à quitter Pondichéry au moment où la suspension a été prononcée, ayant dû recevoir d'autres destinations, j'ai l'honneur de prier votre Excellence de vouloir bien autoriser deux navires portant 800 à 1,000 émigrants à quitter dès à présent l'Inde à destination de la Guyane. Permettez-moi en outre, M. le Comte, d'insister de nouveau pour que l'immigration Indienne vers notre Colonie soit reprise d'une façon générale, et fonctionne comme par le passé.

Veuillez, &c.

(Signé) D'HARCOURT.

(Translation.)

M. le Comte, *London, May 25*, 1877.

IN in the course of the month of October, 1876, the Indian Government ordered all recruiting of immigrants for French Guiana to cease. According to the communications which have reached Her Majesty's Government, this measure must have been caused by the heavy mortality among Indian coolies employed in our Colony, as well as by the precarious condition enjoyed by them in the placers.

In view of the decision come to, and the motives which have produced it, the Governor has appointed, as you are aware, M. le Comte, a Commission of Inquiry, which, under the presidence of the Procureur-Général, was charged with the investigation of the circumstances which caused the prohibition in question. The measure adopted by the Indian authorities was all the more unlooked for inasmuch as steps had been taken by the local authorities themselves, at their own suggestion, to ensure the protection of the immigrants, and two Commissions were about to act simultaneously with this object in the most important districts of our Colony.

I have had on several occasions to call your Excellency's attention to these circumstances, and to urge that immigration to Guiana should be sanctioned, or that the batches of coolies now ready to sail should be embarked at once.

M. Gavard, on his part, has discussed the same question with the Foreign Office; and as the result of his arguments the matter appeared a month ago to have entered upon a satisfactory stage, and a favourable decision seemed imminent.

However, as Her Majesty's Government have not thought fit to yield to our arguments the solution which we anticipated, and as the two batches of coolies who were ready to leave Pondichery at the moment that the suspension of immigration was pronounced have been compelled to be sent to other destinations, I have the honour to request your Excellency to have the goodness to sanction the dispatch forthwith to Guiana of two ships carrying from 800 to 1,000 emigrants.

I beg at the same time to urge again, M. le Comte, that Indian immigration to our Colony may be generally renewed, and go on as it used to do.

Accept, &c.
(Signed) D'HARCOURT.

No. 20.

Sir J. Pauncefote to Sir L. Mallet.

Sir, *Foreign Office, May* 31, 1877.

I AM directed by the Earl of Derby to transmit to you, for the information of the Marquis of Salisbury, a copy of a despatch from Her Majesty's Consul at Cayenne,* inclosing a copy of his Report on the condition of coolies in French Guiana during the year 1876.

I am to request that you will move his Lordship to cause Lord Derby to be informed what instructions should be sent to Mr. Wooldridge in regard to engaging the services of an interpreter from among the free coolies in the Colony.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 21.

Sir J. Pauncefote to Sir L. Mallet.

Sir, *Foreign Office, June* 4, 1877.

I AM directed by the Earl of Derby to transmit to you, to be laid before Her Majesty's Secretary of State for India in Council, a copy of a note which his Lordship has received from the Marquis d'Harcourt,† requesting that permission may be given for the renewal of coolie emigration from India to French Guiana; and I am to request that you will move his Lordship to cause Lord Derby to be informed what answer should be returned to the French Ambassador's application.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 22.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, June* 4, 1877.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 25th ultimo on the subject of the suspension of coolie immigration to French Guiana, in which your Excellency requests that permission may be given for the immediate departure of two vessels containing from 800 to 1,000 emigrants, and for the renewal of the regular traffic to that Colony.

I beg leave to inform your Excellency in reply that I have referred to your note to Her Majesty's Secretary of State for India.

I have, &c.
(Signed) DERBY.

No. 23.

Sir L. Mallet to Lord Tenterden.—(Received July 21.)

My Lord, *India Office, July* 19, 1877.

THE Secretary of State for India has had under his consideration in Council the letters of Sir Julian Pauncefote, dated respectively the 11th May last and the 4th ultimo, on the question of a renewal of coolie emigration from India to French Guiana, as requested by the French Government.

* No. 18. † No. 19.

2. In reply, I am directed to request that you will state to the Earl of Derby that Lord Salisbury in Council has, with every desire to meet the wishes of the French Government in this matter, carefully considered the above communications; but, having regard to the accounts of Indian immigration in French Guiana received since the time at which the Government of India decided to suspend the immigration, including the British Consul's Report to the end of last year, inclosed in Sir Julian Pauncefote's letter of the 31st May last, his Lordship in Council regrets to state that he would not feel justified in making a proposal to the Indian Government for the renewal of immigration.

3. At the conclusion of Sir Julian Pauncefote's letter of May 11, the concession recently made to the Netherlands Government is mentioned as a precedent in favour of granting the request now preferred by the Government of France.

4. I am desired to observe that the two cases are, however, entirely different. In the first place, the number of emigrants allowed, as an exceptional measure, to proceed to Surinam is limited to 300, while the request of the French Ambassador is that from 800 to 1,000 coolies should be permitted to leave India for Cayenne; and, what is a matter of greater importance, the Secretary of State in Council has every reason to believe that no Indian coolies under indenture in Surinam have been employed in gold diggings, while the Government of India have made it a condition of the further renewal of immigration to that Colony that no Indian now or hereafter located there shall be employed on this description of labour.

5. In French Guiana, on the contrary, the number and proportion of Indians employed on gold washings have increased since the Government of India, in the year 1875, stipulated for a reduction of such number and proportion as a condition of according their sanction to the continuance of immigration to the Colony.

6. The latest reports of the British Consul at Cayenne, it is true, show a considerable diminution of the annual death-rate amongst the Indians, while other improvements have also taken place, and the local administration continue to evince solicitude for the interests of the coolies. But, on the other hand, the mortality amongst Indians for the year 1876 was still so exceptionally high, as not to admit of a renewal of the immigration being proposed to the Indian Government by the Secretary of State for India. It amounted to 7·58 per cent.; and it should be mentioned that in Surinam, for the same period, the death-rate amongst Indians was less than half as high as in French Guiana.

7. Lord Salisbury will, however, I am to add, at once communicate to the Indian Government the letters of Sir Julian Pauncefote under reply, and the note of the French Ambassador, inclosed in the later of these communications, with a request for their immediate and careful consideration of the subject to which they relate, and for an early report thereon.

I have, &c.
(Signed) LOUIS MALLET.

No. 24.

Sir L. Mallet to Lord Tenterden.—(*Received September* 1.)

My Lord, *India Office, August* 31, 1877.

WITH reference to the inclosures in Sir Julian Pauncefote's letter of the 31st May last, I am directed by the Secretary of State for India in Council to request that you will move the Earl of Derby to convey to Her Majesty's Consul at Cayenne the acknowledgments of the Government of India for his Report on the condition of Indian immigrants in French Guiana for the year 1876.

2. The Marquis of Salisbury would be glad that Mr. Wooldridge were at the same time informed that in the opinion of the Government of India it will not be necessary for him in future to send in a Report oftener than once a-year.

I have, &c.
(Signed) LOUIS MALLET.

No. 25.

Sir J. Pauncefote to Consul Wooldridge.

Sir, *Foreign Office, September* 14, 1877.

I AM directed by the Earl of Derby to convey to you, at the request of Her Majesty's Secretary of State for India, the thanks of the Government of India for your Report on the condition of Indian immigrants in French Guiana for the year 1876, which was inclosed in your despatch of the 11th April last.

I am at the same time to inform you that in the opinion of the Government of India it will not be necessary for you in future to send in a Report oftener than once a-year.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 26.

Sir L. Mallet to Lord Tenterden.—(Received October 2.)

My Lord, *India Office, September* 29, 1877.

WITH reference to my letter of July the 19th last and the previous correspondence therein cited, I am directed by the Secretary of State for India in Council to forward, for submission to the Earl of Derby, copy of a despatch received from the Government of India regarding the suspension of emigration from India to French Guiana.

2. Lord Salisbury would suggest to Lord Derby that the substance of the Indian Government's despatch be communicated to the French Government, with an expression of the regret of Her Majesty's Government at feeling unable to comply with the requests contained in the note of the Marquis d'Harcourt, under date the 25th May last, inclosed in Sir Julian Pauncefote's letter of the 4th June.

3. Adverting to paragraphs 1 and 2 of the Indian Government's despatch, and to my letter of August 31, I am desired to transmit a copy of that Government's earlier despatch of the present year, reviewing Mr. Consul Wooldridge's Report on Indian Immigration in French Guiana for 1876. Probably Lord Derby will deem it expedient to communicate to the French Government the contents, or substance, of this despatch also, as showing more fully the grounds on which the Government of India have felt compelled to come to an unfavourable conclusion on the question of a renewal of Indian Emigration to Cayenne.

4 I am further to request, with reference to the closing paragraph of the Indian Government's present despatch, that you will move Lord Derby to obtain, if possible, from the French Government, a copy of any report made by the Commission of inquiry into immigration in French Guiana, mentioned in the French Ambassador's note of May 25 above cited.

I have, &c.
(Signed) LOUIS MALLET.

Inclosure 1 in No. 26.

The Government of India to the Marquis of Salisbury.

My Lord Marquis, *Simla, August* 27, 1877.

WE have the honour to acknowledge receipt of your Lordship's despatch dated the 19th July, transmitting certain correspondence connected with the suspension of emigration from India to French Guiana, and requesting that the subject may be taken into consideration by us in connection with Mr. Wooldridge's Report for 1876.

2. In reply, we beg to refer your Lordship to our despatch dated the 16th July last,* in which we reviewed the report for 1876, and stated our opinion (paragraph 5) that the facts therein set forth were not sufficient to warrant a reconsideration of the orders by which emigration to Cayenne is at present suspended. We are gratified to learn from Sir Louis Mallet's letter to the Foreign Office of the 19th July, inclosed in

* Inclosure 2 in No. 26.

the despatch now acknowledged, that the same conclusion had been independently arrived at by your Lordship on a perusal of Mr. Wooldridge's Report.

3. Nothing appears to be contained in the papers now forwarded which should lead us to change our opinion. We have throughout given the Colonial authorities credit for their praiseworthy exertions in behalf of the immigrant population; but our objections to permit the continuance of the emigration are founded on the proved unfitness of the colony for the residence of Indian labourers,—an unfitness which it seems impossible to expect can within any reasonable time cease to exist. It was only to be anticipated that the labourers now in the colony should show an annually decreasing rate of mortality; but if the new importations of each year be looked to, it will be seen that the risks of acclimatisation are excessive, and do not, according to the latest information at our disposal, show any signs of notably decreasing. We do not think that, in order to furnish the colony with a supply of acclimatised labour, we should be justified in permitting coolies to be shipped from India, of whom not less than one-fourth may be expected to succumb during the first eighteen months of their residence in Cayenne.

4. We shall be glad to receive a copy of the report of the Commission of Inquiry referred to in the Comte d'Harcourt's letter to Lord Derby of the 25th May.

We have, &c.

(Signed) E. C. BAYLEY.
F. P. HAINES.
A. CLARKE.
J. STRACHEY.
E. B. JOHNSON.
W. STOKES.

Inclosure 2 in No. 26.

The Governor-General of India in Council to the Marquis of Salisbury.

My Lord Marquis, *Simla, July 16, 1877.*

IN continuation of our despatch dated the 28th September, 1876,* with which we forwarded copy of the Consul's report on the condition of Indian immigrants in French Guiana in 1875, and announced the suspension of emigration to that Colony, we have now the honour to forward copy of Mr. Wooldridge's Annual Report for 1876.†

2. The number of immigrants in the Colony on the 31st December, 1875, was stated in the report for that year to be 3,309, viz.:—

	No.
Male adults	2,035
Female adults	822
Children under 10	452
Total	3,309

3. The number of births during the following year, 1876, is in one place of the enclosed report (page 3), stated to have been 38, but on page 1 the same number is given as that of the births in the second half of the year only; the number of immigrants introduced during the year was 423. The total of the immigrant population during the year was thus (subject to the discrepancy as to births)—

	No.
Male adults	2,296
Female adults	940
Children	534
Total	3,770

4. On the 31st December, 1876, these numbers stood as follows:—

	No.
Male adults	2,088
Female adults	825
Children	510
Total	3,487

* Inclosure in No. 4.

† Inclosure in No. 18.

showing a decrease of 203, 51, and 24, under each class respectively, and a total decrease of 333. The death-rate was therefore among:—

	Per cent.
Male adults	9·06
Female adults	5 42
Children	4·49
The total immigrant population	7·507

These figures do not quite agree with Mr. Wooldridge's calculation, which gives 7·58 as the per centage of total deaths; the difference is possibly due to some unrecorded births of children (who afterwards died) in the first half of the year. From the Report for 1875, it will be seen that the rate for that year was 12 15 per cent.; the rate for 1876 is therefore better by 4 54. This is a considerable improvement, but the rate is still higher than that which, under the Inland Emigration Act,* warrants the closure of an estate to imported labourers.

5. The 423 coolies who arrived during the year, landed on the 12th May; in the seven-and-a-half months which remained of the year, they lost 42 of their number, or a fraction under 10 per cent. In 1875, 351 immigrants who landed in May, lost 73 of their number before the end of December, or 20·8 per cent. Of the survivors it is said that 12·23 per cent. died during 1876. These figures show that the risks of acclimatisation in Cayenne are still extremely great; and Mr. Wooldridge gives as the average mortality during that process for the four years ending 1876, the following proportions:—

Deaths during the first year of acclimatisation	13 per cent.
„ „ second „ „	19 „

We are of opinion that neither the improvement in the general mortality among the immigrant population, nor that in the mortality among immigrants imported during the year, is sufficient to justify a reconsideration of the orders passed last year, by which emigration to Cayenne is at present suspended.

6. Turning now to the statistics furnished by the report regarding labour and wages, your Lordship will perceive that, including children, the immigrants are distributed between the gold-washings and other (chiefly agricultural) industries, as follows:—

On "placers"	2,432,	or 69·74 per cent.
On other labour	1,055	„ 30·26 „
Total	3,487	

In 1875 the proportions were almost exactly the same:—

On "placers"	2,307,	or 69·72 per cent.
On other labour	1,062	„ 30·28 „
Total	3,309	

The most noteworthy point in regard to labour, is that the coolies are stated to be unable to work on an average more than half the month, or fourteen instead of twenty-six days; consequently the five years' indenture is not worked out until ten years have expired from the date of introduction.

7. Of the 3,487 coolies at work, 1,934 are under their first indenture, and earn, if employed on agricultural labour, 12·50 fr. a month, besides rations, &c., for the whole of their term; if on gold-washings, 12·50 fr. a month for their first year, and 17·50 fr. for the next four. This increase in the wages for labour on gold-washings, is apparently a new feature. Of the remaining coolies, 1,504 are under re-indenture, and these are able to earn considerably higher wages, averaging from 30 to 45 francs per month of fourteen days.

8. It is noticeable that the administration, in order to discourage applications for immigrants for the gold-washings, have still further raised the charges to be paid by the applicant; in 1875 these were 250 fr. per male adult compared with 150 fr. when the labour is required for agriculture; in 1876 the charge was 300 fr. for the gold-washings, 100 fr. for agriculture, and 150 fr. for other labour.

9. Another satisfactory point is that, though there is no mention in the report of any placer or estate being deprived of any labourers previously employed on it in consequence of its unhealthiness or want of proper provision for the comfort of the coolies, the administration in October last warned all applicants for the new immigrants

* Act No. VII of 1873 (B. C.), section 119.

expected to arrive in the three ships due last spring, that they would not be allowed to remove their immigrants until they had satisfied the authorities that all things required by law had been provided on the placer or estate.

10. The two serious cases of neglect referred to on page 4, were presumably those in which the MM. de Georgis and the MM. Vitalo Frères were concerned; the former, however, occurred in 1875, though the proceedings in connection with it were protracted to the middle of 1876.

11. The reference to an interpreter on pages 5 and 6 of the report, relates to a question which has, it is hoped, since been satisfactorily settled. In connection with this subject, we beg to refer your Lordship to our despatch of the 17th May last.

12. We notice with gratification the last paragraph of Mr. Wooldridge's report, in which he makes mention of the priseworthy manner in which the Administration of the Colony continues to exert itself on behalf of the immigrants.

We would request that our thanks may be conveyed to Mr. Wooldridge for his report, and that he may be informed that the report for the first half of 1876 has not been received by us. In connection with this subject, we would suggest that instead of two half-yearly reports, one report for the whole year might in future be furnished.

We have, &c.
(Signed) LYTTON.
F. P. HAINES.
E. C. BAYLEY.
A. J. ARBUTHNOT.
A. CLARKE.
J. STRACHEY.
E. B. JOHNSON.
W. STOKES.

No. 27.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, October* 16, 1877.

IN my letters of the 11th May and the 4th June I had the honour to inform your Excellency that I had communicated to Her Majesty's Secretary of State for India your notes of the 3rd and 25th May, on the subject of the suspension of the emigration of coolies from India to French Guiana. I have now to acquaint your Excellency that Lord Salisbury lost no time in addressing the Indian Government on the subject, and that his Lordship has furnished me with the reply which he has received from that Government.

The Indian Government call his Lordship's attention to the following facts set forth in the Report of Her Majesty's Consul at Cayenne, on the condition of Indian immigrants in French Guiana in 1876.

The number of these immigrants in the Colony on the 31st December, 1875, was 3,309, viz.:—

Male adults	2,035
Female adults	822
Children under ten	452
Total	3,309

The number introduced during the year 1876 was 423, and the total immigrant population during the year, including 38 births, was as follows:—

Male adults	2,296
Female adults	940
Children	534
Total	3,770

On the 31st December, 1876, the numbers stood as follows:—

Male adults	2,088
Female adults	889
Children	510
Total	3,487

Showing a decrease of 208, 51, and 24, under each class respectively, and a total decrease of 283. The death-rate was, therefore, among

	Per cent.
Male adults	9·06
Female adults	5·42
Children	4·49
The total immigrant population	7·507

The death-rate for the year 1875 was 12·15 per cent., and the rate for 1876 is therefore better by 4·54, and although this is a considerable improvement, it is still higher than that which, under the Inland Emigration Act, warrants the closure of an estate to imported labourers.

The 423 coolies who arrived during the year landed on the 12th May; and in the seven months and a half which remained of the year they lost 42 of their number, or a fraction under 10 per cent. In 1875, 351 immigrants, who landed in May, lost 73 of their number before the end of December, or 20·8 per cent. Of the survivors it is said that 12·23 per cent. died during 1876. These figures show that the risks of acclimatization in Cayenne are still extremely great, and that the average mortality during that process for the four years ending 1876 was as follows:—

	Per cent.
Deaths during the first year of acclimatization	13
Ditto, during the second year	19

It is moreover stated that the coolies are unable to work on an average more than half the month, or fourteen instead of twenty-six days; consequently the five years' indenture is not worked out until ten years have expired from the date of introduction.

Under these circumstances the Indian Government are of opinion that neither the improvement in the general mortality among the immigrant population, nor that in the mortality among immigrants imported during the year 1876, is sufficient to justify a reconsideration of the orders passed last year, by which immigration to Cayenne is at present suspended.

They state that they have throughout given the Cayenne authorities credit for their praiseworthy exertions in behalf of the immigrant population; but that their objections to permit the continuance of the immigration are founded on the proved unfitness of the colony for the residence of Indian labourers—an unfitness which it seems impossible to expect can, within any reasonable time, cease to exist. It was only to be anticipated that the labourers now in the colony should show an annually decreasing rate of mortality; but if the new importations of each year be looked to, it will be seen that the risks of acclimatization are excessive, and do not, according to the latest information at the disposal of the Indian Government, show any signs of notably decreasing. They do not think that they would be justified in permitting coolies to be shipped from India, of whom not less than one-fourth may be expected to succumb during the first eighteen months of their residence in Cayenne.

With regard to the request contained in your Excellency's letter of the 25th May, that permission might be given for the immediate departure of two vessels containing from 800 to 1,000 immigrants for Cayenne, and to the remark made by M. Gavard in a conversation with Sir J. Pauncefote, that such a concession had recently been made to the Netherlands Government, Her Majesty's Secretary of State for India has requested me to point out to your Excellency that the two cases are entirely different.

In the first place the number of immigrants allowed, as an exceptional measure, to proceed to Surinam was limited to 300 and, what is a matter of greater importance, the Secretary of State has every reason to believe that no Indian coolies under indenture in Surinam have been employed in gold diggings, while the Government of India have made it a condition of the further renewal of emigration to that colony, that no Indian now or hereafter located there shall be employed on this description of labour.

In French Giuana, on the contrary, the number and proportion of Indians employed on gold washings have increased since the Government of India, in the year 1875, stipulated for a reduction of such numbers and proportion as a condition of according their sanction to the continuance of immigration to the colony, the number so employed being, in 1875, 2,307, and in 1876, 2,432.

In communicating this information to your Excellency, I beg to add the expression of the regret which Her Majesty's Government feel in being unable to comply with the request contained in your notes of the 3rd and 25th May.

I have the honour to add that Her Majesty's Government would be very glad if

your Excellency could furnish them with a copy of the report of the Commission of Inquiry into immigration in French Guiana, to which reference is made in your Excellency's note of the 25th May.

I have, &c.
(Signed) DERBY.

No. 28.

*Consul Wooldridge to the Earl of Derby.**—(*Received October* 25.)

My Lord, *Cayenne, September* 20, 1877.

I HAVE the honour to forward herewith my half-yearly report on the mortality of Indian immigrants in French Guiana for the six months ended the 30th June, 1877, a copy of which I have transmitted direct to the Indian Government.

I have, &c.
(Signed) FRANK WOOLDRIDGE.

Inclosure in No. 28.

Report on the Mortality of Indian Immigrants in French Guiana during the First Half of the Year 1877.

THE return of deaths, just sent in to me from the Immigration Department, among the immigrants in French Guiana during the first half of the present year, shows a larger per-centage than occurred during either of the first and second halves of 1876, but it cannot be considered high in comparison, seeing that three emigrant vessels arrived at the beginning of the year, and landed a complement of 1,141 labourers at a time when yellow fever was prevalent, and the standard health of the Colony unusually low. I very much fear, however, that the next report at the end of the year will show even a greater death-rate than this one does, as the greatest heat prevails between the months of August and December, and the season of this year is exceptionally hot; still, as the whole of the coolies were landed before the end of February, it is to be hoped that the four or five months through which they passed will have, in a measure, prepared them to resist the evil effects of the tropical summer.

The following Table gives the rate of mortality between the 1st January and the 30th June, 1877:—

	No.
Population on the 1st January, 1877	3,487
Coolies introduced in the months of January and February	1,141
Births during first half of 1877	21
Total	4,649
Deaths during first half of 1877	192
Death-rate per cent.	4·13

Of these, 170 were adults and 22 non-adults; 137 being males, and 55 females.

In analyzing the total number of deaths, I find that:—

63 occurred among arrivals in	1877
29 among arrivals in	1876
6 " "	1875
34 " "	1874
14 " "	1873
7 " "	1872
29 among the old coolies, or those who arrived at Cayenne before the suspension of emigration in	1867
10 among those born in the Colony.	
192	

At the different quarters of the Colony, the mortality is divided as follows:—

* Communicated to India Office, October 29.

	No. of deaths.
At Cayenne (the town only)	83
On the rest of the island	20
At Approuague, Oyapock, and Kaw (windward quarters)	21
At Mana, Sinnamary, Kourou, and Iracoubo (leeward quarters)	56
At Roura, Montsinéry, and Macouria (central quarters)	12
Total	192
The death-rate per cent. during the first half of 1876 was	3·75
" " " 1877	4·13
Difference in favour of 1876	0·38
The death-rate per cent. during the second half of 1876 was	3·96
" " first half of 1877 was	4·13
Difference in favour of 1876	0·17

Notwithstanding the undeniable pains taken by the Administration in behalf of the coolies, and the care bestowed upon them, of the visits of the inspectors as often as the paucity of the service will permit, and the constant recommendation of the coolies to the authorities residing at the quarters, the death-rate, if not increased, for reasons given above, has not tended in any way to a diminution. This is disappointing, and shows that all the efforts of the local authorities to ameliorate the condition of the coolies, and to bring them within reach of medical aid more speedily than before by the establishment of hospitals at two of the most populous quarters near the coast, have, as yet, proved of no avail, and that the Administration is powerless to render the coolies' position a safe one in this climate in point of health, or a satisfactory one as justice demands. For complaints of beating, stopping of wages, improper feeding, and others, although attended to by the authorities, are ever recurring at the Consulate. Many of these complaints are satisfactorily settled, and the coolie departs for his placer, or estate, justice having been rendered him and his salary paid up, but only to reappear a few months later with a similar complaint. Over eighty complaints passed through my office during the first half of 1877; some of the most serious ones were decided by the law, and I invariably remarked that most of the coolies' complaints were declared to be unfounded.

The cause of the heavy death-rate at Cayenne has been given in former reports, for Cayenne is the healthiest spot in the Colony; or, to be more correct, the least unhealthy of the quarters.

During these six months 54 transfers took place from one employer to another, and 17 re-engagements sanctioned by the Immigration Office for the following periods:—

For 5 years	6
" 3 "	2
" 2 "	4
" 1 "	5
Total	17

In order to keep certain employers of immigrants up to the mark as regards their dealings with their labourers, and to record any abuses against them for future reference in case of serious complaints, the Administration has declared its intention to publish the reports of the Commission of Inspectors on their return from visiting the gold and agricultural establishments in the interior; an abridgment of their last inspections of the quarters of Roura, Ile de Cayenne, and Tour de l'Ile, I herewith give.

The Inspectors returned on the 20th May, and showed results generally satisfactory. At the Ile de Cayenne and Tour de l'Ile quarters, they visited 34 plantations, employing a total of 630 immigrants; and at Roura, six gold-washing establishments and one plantation where there are 466 immigrants. They reported that "the situation of the immigrants tends every day towards an improvement, and leaves little to be desired except in very rare and exceptional cases. Divers establishments, which had formerly been the objects of merited reproach, were now being well conducted. The sanitary state is satisfactory, and the number of deaths has been, relatively, much reduced since the 31st March, notwithstanding recent and numerous introductions."

Many placers and plantations have been particularly the objects of praise by the

Commission on account of the excellent manner in which they are conducted, and the care bestowed on the labourers, among which, one placer at Koura, "Boulanger," and one plantation, "Remire," on the island are specially mentioned, and declared to be in a "perfect state." The report further says:—"There are still certain plantations whose state is defective among the smaller ones, but they are, happily, rare," and the Administration adds, that "it is taking strong measures to put a stop to an objectionable state of things, and trusts shortly that it will have nothing but praises to address to all the employers of coolies for the manner in which they fulfil their obligations towards them."

These are among the pleasantest quarters of the colony, and within easy reach of the town of Cayenne. It is to be hoped that similar reports may be forthcoming after visiting the more distant quarters.

Regarding the hospitals at Mana and Sinnamary, for the use of the coolies at the placers in the interior of those quarters, the Director of the Interior, at my request, in a letter dated May 28, 1877, informed me that the hospice at Mana had received, from the 18th August, 1976, to the 24th February, 1877, 134 sick people, of whom 71 were coolies; that 62 of the coolies had been discharged cured and resumed work, whilst nine had died. "Ces chiffres," writes the director, "démontrent d'une manière évidente que, dès le début, la création dont il s'agit, a produit les résultats favorables que l'Administration s'était plu d'espérer." As for the Sinnamary hospice, it is not yet finished, "par suite de circonstances de force majeure;" one of the wards, however, is ready, and has received its beds, &c., and a second is nearly so. A medical man superintends each hospital, and a certain number of Sisters of Charity, who were expressly asked for from France, as nurses. The Director finishes his letter thus: "Toutes les mesures, M. le Consul, sont prises par l'Administration pour assurer aux immigrants la meilleure situation possible."

An article, entitled "Les Coolies de la Guyanne," in the "Revue Scientifique" of July 1877, gives an excellent *exposé* of the treatment of the coolies on two placers of French Guiana, by a medical man employed at the gold establishment at Mataroni, on the Appronague, and the results of an original system of treatment of his own. Doctor François went to this establishment in January 1875, and remained there for two years, and he shows very clearly that, were medical men to be attached to the placers, and followed the system he adopted as regards the treatment, morally and physically, of the labourers, not only would the mortality among them sensibly decrease, but, as a natural consequence, the material interests of the proprietors would be better guaranteed, and the situation, in every way, be improved. I am intimately acquainted with Doctor François, and have several times listened to the relation of his experiences at the Mataroni mines, and can therefore vouch for the correctness of the review, and cordially sympathise with the efforts of the doctor, and recommend the reforms proposed and adopted by him.

In Part I of the Article, the result of a careful study of the doctor's diary and other documents, the reviewer enlarges upon the difficulties to be encountered and overcome during the voyage between Cayenne and the placers, and upon their geological and climatological position; and I think a free translation of the whole article will not be out of place here:—

"These placers are situated on the River Appronague, at a considerable distance from its mouth, and it requires about eight days to reach them, which no doubt appear as many centuries to the unfortunate human cattle, whilst being transported to Cayenne in the last stage of disease. The first part of the journey is made in a flat-bottomed craft, called a 'taponyé,' whose deck is continually being whipped by the spray of the waves, and exposed to the heavy floods and burning rays of the sun, whilst the wind and current drive the badly managed bark on to hidden sandbanks, where it remains until released by the flowing tide.

"Imagine a voyage in one of these 'taponyés' of about twenty tons burthen, crowded with coolies packed close and piled up on the deck, without seats to sit or lie upon, without bulwarks to lean against or awning to protect one from the sun and rain, almost inundated by the waters, and always badly and sometimes not fed at all. If the clumsy craft advances at all, it must be with both wind and current in its favour, for with its square bows it cannot stem the tide, but recoils, and the anchor must be dropped. Thus many days are taken up in traversing the fifty miles which separate Cayenne from the Appronague.

"On entering the Appronague you pass the little îlet de Guisambourg, the miserable residence of a few Government agents, when the navigation becomes easier and the water smoother, but the musquitoes and other pests of the country allow the

passengers no sort of rest. The eye falls upon plains of mangrove jungle on all sides, backed by bluish, monotonous hills. On the banks a few abandoned plantations, and some miserable cabins, or 'carbets,' belonging to the natives, meet the eye. At length you arrive at the agency of the society and disembark, and the first, but least tiresome, part of the journey is over.

"The second part of the journey is made in 'piroques' (canoes) manned by undisciplined crews of negroes, who work when they please, stop near the banks at their pleasure, and care nothing for the convenience of the passengers, who, stowed as well as they can manage upon the piles of provisions, have to submit to their insolence and laziness, and endure, with much suffering, the ardour of the torrid sun, the floods, and the myriads of stinging insects, from which there is no possible escape. The journey is broken by the rapids, which become more frequent as you ascend, when the boats have to be unloaded and dragged along the banks above the fall, and re-launched. Danger is often incurred in descending these falls, some of which are capable of being passed over, and canoes are capsized through the recklessness or want of nerve of the 'pagageurs.' The country viewed from the middle of the stream is picturesque and peaceful, being a gentle incline covered with wonderful vegetation, every hillock and clump of trees showing some fantastic form, resembling, in their clothing of leaves, the remains of antiquated towers covered with ivy. At length you reach the confines of the placers and disembark, and proceed on foot to the central establishment of the Society, and the remembrance of the picturesque scenery you have passed through on the river is soon obliterated from your mind, and all your attention and efforts are directed towards the change of position from water to land, and every care is needed as you slide and flounder through the greasy clay of the footpath over which you pass, at each moment interrupted by obstacles, such as fallen trunks of trees, huge stones, protruding roots, ditches, and quagmires, which, if you cannot jump, you wade through, sinking to the middle in mud. These are slight trials to the hardy traveller in health, seeking adventures, or on a hunting expedition, but they are torments to the poor sick coolies who are being carried in hammocks from the placer to the river-side *en route* for Cayenne, for, in spite of precautions and careful stepping, it often happens that one or two of the bearers slip or stumble, and the poor invalid, to whom the least jerk is agony indescribable, is precipitated down a sliding into a ditch or on to a heap of stones."

Part II treats of the condition of coolies sent to the placers, and the causes of the abnormal mortality among them.

"So much for the country. Let us now examine the conditions of the individuals employed at the placers. They come, mostly, from the environs of Madras and from Calcutta, regions analogous to French Guiana, and yet, each time a 'convoi' of coolies arrives at Guiana, nearly a third of it dies off in the first eight months.

"To what attribute such frightful ravages, which are not, certainly, due to either change of climate or to inferior hygienic conditions? Dr. François gives an interesting explanation of this problem, which appears a just one, in attributing the mortality to two causes, the one purely physical, and the other moral. The first of these causes is that the coolie, whose labour is exclusively confined to gold digging and agriculture, is exposed, not only to the fatigue of work to which he has never been accustomed, but to the dangerous miasmas arising from the undrained land on which he lives and breathes; and, as the immigrants are not, in general, of a robust constitution, and among them are found ruined lawyers and schoolmasters, beggars, and worn out prostitutes, it is not to be wondered at that fatigue and fever make short work of them.

"As for the moral influence, its action on these debased races, incapable of energy and reaction, is not less considerable. On their arrival at the placers, the coolies, finding themselves deceived by false promises, and caught in an abominable trap whence there is no escape, become resentful and discouraged. Some make the best of their position, go cheerfully to work, struggle, resist, and finally escape the evil consequences of the climate. Others, acting according to their own inclinations, desert the placers, and roam the forest, until hunger compels them to return and capitulate. But all have not recourse to such simple expedients; many of these unfortunate beings, whose contempt for pain and death is inconceivable, in order to escape work, make use of most painful and unheard of means to incapacitate themselves. Some hang themselves, while their bodies recline at full length on the earth, the neck tied to a low branch of a tree, which only raises the head a few inches from the ground, such is their persevering obstinacy and doggedness. Others, by far the

largest number, mutilate themselves by a very common practice, which consists in tearing off a piece of skin from the shin or foot, and applying to the raw flesh for some hours a copper coin soaked in salt water, whilst the part is irritated and kept raw by a piece of stick or nail. They then pass the night in the forest, and allow the sore to be overrun by vermin, and in the morning it presents a hideous wound. Another way is that of blinding themselves by introducing under the eyelids a paste composed of lime and certain irritating ingredients found in the woods, which soon produces a purulent ophthalmia, with all its attendant consequences. No matter what he suffers, the coolie has attained his object, he is 'hors de service.'

"Many fall ill from natural causes; their apathy is then increased, their comrades abandon them, the nurses take advantage of their state and rob them, they drink to appease the fever that consumes them, which only increases it, they eat anything they can lay their hands upon; dysentery and diarrhœa soon come to put an end to their sufferings.

"Against these terrible calamities what remedies existed at the Society's establishment before the arrival of the doctor in January 1875?

"The *personnel* of the Company was composed of thirty white men, four male hospital attendants, and about 320 coolies, who worked on two placers, distant from the central establishment, one 9 kilometres, and the other 12.

"Two of the hospital attendants were employed, one at each of the placers, whilst the other two were retained at the central establishment, where there was a hospital containing about twenty beds, which were always occupied. Those coolies who had become seriously ill at the placers were sent up to the central hospital, and if they became worse were transferred, in the way we have described, to Cayenne, which place their state of health rarely allowed them to reach. Many died even at the central hospital, which was but a mere open shed, for want of the most ordinary care.

"The attendants, having no knowledge of medicine or how to treat sick people, used for all kinds of diseases certain Creole remedies, which were efficacious only in their own minds. Had they even made up for their inexperience and incapacity by a little zeal and disinterestedness in their duties, much misery and suffering might have been spared the coolies and some lives saved; but, attracted to the placers by a love of gain, they made a market of the coolies, cheated them by selling them, at exorbitant prices, trumpery articles of no value, and speculated even on the sick, by promising them speedy cures or not of their ailments, according as the fee was great or small, and then abandoned them remorselessly. They never washed their wounds, and the same linen, if they had any, was used indiscriminately for all purposes. For dressing wounds or sores they poured over them a decoction of copahu, of camphorated rum, or an infusion of some country bark cut off with a "sabre d'abatés," so that on his first visit the doctor found more than a hundred sick coolies laid up with hideous sores, the most part being infected with worms crawling in and out, and some by a blue rot (pourriture violacée) requiring some twenty amputations, which would not, however, have saved their lives."

"Figures," writes the reviewer epigrammatically, "will be more eloquent than the most graphic description. Out of 474 coolies (complement of 'Leicester') sent to these placers in March 1874, more than 300 were dead in one year, or a death-rate of 63 per cent., and yet Mataroni is considered the best conducted establishment in French Guiana."

Note.—The returns of deaths of "Leicester's" complement at Mataroni, furnished me by the Department, show that in—

	Deaths.
1874 (March to December) there were	162
1875	89
1876	12
Total	263

Part III speaks of the measures taken by the doctor to arrest the diseases by which the coolies were attacked, and to relieve them of the sores on their bodies, to prevent them from aggravating them, to cause to be avoided as much as possible the excessive fatigue of transport of the sick to Cayenne, to assure to them all the care the state of their health required as far as lay in his power, to overlook the attendants, and to put a stop to their disgraceful proceedings with the coolies. To this end "he occupied himself in raising the 'moral' of the labourers, in diminishing the fatigues

of their work without prejudice to their employers, by confiding each newly arrived coolie to an old hand, so as to initiate him into the ways of his work and accustom him to the *régime*. Two hospitals were being constructed on his arrival. He hastened on the work until they were completed, and devoted one to the men and the other to the women, and by constant visits to these hospitals he assured himself that his prescriptions were attended to, that the sick were not neglected, and that his sanitary orders were carried out. He increased and changed the quality of dressings, used largely antiseptics, and had frequent recourse to hot iron, which had the immense advantage of being inexhaustible. In a word, knowing that sanitary precautions and instant care were the principal conditions of success, he applied himself personally to the work and made his assistants follow his example.

"The results which attended this treatment were not long in showing themselves, as will be seen by the following comparative return of mortality in the first half year of 1875, and the second half year of 1876:—

First half of 1875.		Second half of 1876.	
Months.	Number of deaths.	Months.	Number of deaths.
January	28	July	0
February	24	August	2
March	22	September	0
April	13	October	3
May	11	November	1
June	5	December	4
Total	103	Total	10

"No comment is necessary on the above.

"The number of deaths among the women had been, relatively, considerable; the doctor, however, observed that women resist longer than the men, generally for the reason that they ally themselves to men who give the surest guarantees for their future comfort and protection, who are better paid and more experienced than the newcomers, and being strong and acclimatised are gallant enough to take the greater part of their work off their hands. Thus the women are better able to resist the climate, and the old hands manage to monopolise all the new women. *En revanche*, nearly the whole of the children die, and many of them are killed by their mothers.

Part IV. "After reading the forgoing who will dispute that the laws of humanity imperiously demand reforms and the entire reorganization of the placers? Efficacious steps have been taken by one Company, but there are many other placers whose condition is infinitely inferior to what Mataroni was in 1874. The question is more general than it seems, and should be treated seriously. According to statistics furnished by the doctor, the pecuniary interests of the proprietors are at stake, and the reforms proposed, instead of demanding sacrifices, will bring profits sufficient to cover all first expenses. See following table. The labourers alone are counted as existing; children and women in the family-way are not included.

First half of 1875.					Second half of 1876.				
Months, 1875.	Number existing.	Actual Labour.	Working Days.	Days in Hospital.	Months, 1876.	Number existing.	Actual Labour.	Working Days.	Days in Hospital.
January	380	266	4,582	6,638	July	262	253	5,293	2,502
February	372	255	4,016	4,384	August	262	249	5,186	1,888
March	350	243	4,728	4,235	September	269	263	5,140	1,998
April	334	230	4,209	3,411	October	250	242	4,888	2,164
May	327	254	4,740	4,027	November	249	240	5,112	2,136
June	342	254	4,577	3,907	December	249	243	5,050	1,422
Total	2,105	1,502	26,852	26,602	Total	1,541	1,490	30,669	12,107

"Thus, in the first half of 1875, 2,105 existing workmen only gave an effective of 1,502, and only furnished 26,852 working days, or per man 17·77 days; whilst in the second half of 1876, 1,541 workmen gave an effective of 1,490 labourers, and

30,669 days of work, or per man 19·90 days. We see, on the other hand, that the Company has had to pay for maintaining these labourers for 53,454 days (total of hospital and working days) during the first half of 1875 (the doctor valuing the charge per day at 1·50 francs) 80,181 fr. for 26,852 working days, or 2·98 fr. per man. In the second half of 1876, the cost of 41,776 days of maintenance and pay amounted to 52,664 fr. for 30,669 working days, or 2·06 fr. per man; and taking the approximate average figure of 30,000 days of labour per six months, it is clearly seen that the Company will spend, at the price per day as shown in the first half of 1875, 164,000 fr. for the maintenance and pay of the workmen for one year, and at the price as shown in the second half of 1876 only 123,600 fr. which shows an economy of 40,400 fr.

"As for the expenses of a medical man, they amount to 20,000 fr. per annum, and 5,000 fr. for table, besides the expenses for medicines, &c., and the pay of the attendants in the hospital is no considerable sum;* and the doctor affirms that these expenses are, for the most part, exceeded by those for transport of coolies to Cayenne and medical care at the hospital there.

"We have shown that the reforms would be far from being injurious to the material interests of the owners of coolies. In the short space of two years they have produced most satisfactory results. How much more favourable when they have been a long time in force, and when they work without obstacles and with the improvements suggested by experience? The labourers well treated, and lifted out of their apathetic discouragement by a physical and moral hygiene wisely extended, will devote themselves to their labours with more zeal, and will no longer think of deserting or shirking work. The diminution in the mortality would allow the necessity for the introduction of new complements to become rarer every year, which, less experienced than the old hands in the secret of 'exploitation,' furnish an inferior and therefore less productive work, without speaking of the decimation through acclimatisation, and that alone calls for a reform, being recommended in the name of humanity, which, after the abolition of the Slave Trade, should no longer support the barbarous and inhuman treatment of which the coolies are the victims. Now is the time to impose upon proprietors of coolie labour the indispensable steps which they have not yet spontaneously adopted, and we hope, ere long, that the Government will insist upon the presence of a surgeon at every establishment employing coolies whose number is considerable, the same as is exacted on board vessels carrying more than twenty men."

If any system promises success, or can make it possible for Indian coolies to work and live in French Guiana, the above appears to be the most likely. It has the advantage of having been tried, and the results are shown. I have despaired of finding a solution to the problem—how to make immigration succeed in French Guiana—always having been doubtful that the residence of medical men (even if they could be procured) at each of the establishments, with all the care at their command to bestow, would be able to stay the destruction of life among the immigrants in this climate. There is no reason to doubt, however, that with the means adopted by Doctor François, the lives of Indian coolies might be as easily preserved in French Guiana as in their native country, and before emigration to Cayenne be again permitted, it is strongly to be recommended that the Indian Government insist upon the employment of resident surgeons at all the establishments, gold-washing and agriculture alike, where a fixed number of immigrants are employed. The system of visits of the inspectors and medical men who accompany them, visits rarely made twice in one year to the same establishment, is a farce as it at present exists. The inspectors have little power, and are regarded as a nuisance by most of the proprietors and managers who are not their personal friends, and the visits being repeated only after a long lapse of time, can be no guarantee for the good working of the estate or placer.

As the doctor's system has succeeded at the Appronague, there is no reason why it should not succeed elsewhere, for Appronague is one of the most unhealthy quarters in the Colony. The method of putting an entire stop to the transport of sick coolies cannot be too much urged and upheld; and the doctor has shown that the conveyance to Cayenne and stay in hospital (if they reach Cayenne alive) for weeks and months at the expense of the proprietor, is even more costly than keeping a paid surgeon at the estate which is able to employ between twenty and thirty coolies.

Article 31 of the Immigration Act, which says, "Every plantation and every placer

* *Sic in orig.*

having twenty immigrants, at least, should be provided with an infirmary well established and provisioned;" and, "in case of slight illness the immigrants shall be taken care of by their employers, and, in case of serious illness, shall be sent to Cayenne, to be placed and treated at the hospitals, unless the proprietor is able to show that he employs a surgeon," is but a dead letter, and gives a dangerous margin to the employer. To leave the care of sick immigrants to employers and managers, especially at establishments which are not flourishing, who look to the expenditure of every sou, or to avaricious attendants, is, as Doctor François has shown to insure the neglect of the immigration rules, and to bring many coolies to the grave where otherwise they might be saved, for employers can easily evade sending them to Cayenne by declaring that they subscribe to a medical men. We now know what is necessary to the safety of the immigrants who come here to labour, and before emigration be renewed for the third time, such conditions, even to the altering of the immigration laws, as will insure to them proper care and just treatment (for hitherto they have, in general, been criminally and shockingly dealt with) in the desolate and unhealthy places they are obliged to live in for months together, should be imposed, and, if accepted, guarantees be given for their being honestly carried out to the satisfaction of the resident Consul.

(Signed) FRANK WOOLDRIDGE, *Consul.*

Cayenne, September 20, 1877.

No. 29.

Sir L. Mallet to Lord Tenterden.—(Received December 15.)

My Lord, *India Office, December* 12, 1877.

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of Mr. Lister's letter of the 29th of October, transmitting the Report of Her Majesty's Consul at Cayenne,* on the mortality of Indian immigrants in French Guiana during the first half of the current year.

In returning, as requested, Mr. Wooldridge's Report, I am desired to state that the Marquis of Salisbury has read it with painful interest. Notwithstanding the efforts of the Colonial Administration for the welfare of the coolies, the Colony still appears, on account of its climate, to be very fatal to the Indian population; and, until some diminution of this mortality can be obtained, by the supply of a sufficient number of medical men, and by the provision of hospitals on every plantation and placer where a fixed number of immigrants is employed, the Government of India will be unable to permit the resumption of the emigration from that country. With regard to this matter, the Consul draws attention to the stipulations of Article 31 of the Immigration Act, but he adds that the Article is a dead letter.

The paper in the "Revue Scientifique," entitled "Les Coolies de la Guyanne" (a translation of which is embodied in the Consul's Report) gives a sad description of the condition and treatment of the immigrants, and Lord Salisbury trusts that the attention of the Commission of Inquiry, adverted to in my letter of the 29th September last, will have been drawn to this Article, and that the Commission will be able to suggest remedies for the removal of the evils therein set forth.

Lord Salisbury, on the other hand, is gratified to learn the very favourable results which have attended the efforts of Dr. François on the two plantations on which he has been employed; and, as the Consul is convinced that the system adopted by this gentleman may well be followed on other estates, it is to be hoped that the proprietors will take advantage of his experience.

The Consul concludes his Report with a statement of the measures which should be taken before emigration from India to French Guiana is renewed for the third time. Lord Salisbury believes that the French Government is already aware of the requirements of the Government of India on this subject, and he trusts it is fully alive to their importance.

I am to add that a copy of Mr. Wooldridge's Report will be forwarded for the information of the Government of India.

I have, &c.

(Signed) LOUIS MALLET.

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* Inclosure in No. 28.

No. 30.

Sir J. Pauncefote to Sir L. Mallet.

Sir, *Foreign Office, December* 29, 1877.

IN reply to your letter of the 12th instant, containing the Marquis of Salisbury's observations on Mr. Consul Wooldridge's Report for the first half of the current year, on emigration from India to French Guiana, I am directed by the Earl of Derby to observe that it is not stated in the letter under reply, whether Lord Salisbury would wish a representation in the sense of the observations contained in that letter to be made to the French Government, and I am accordingly to request that Lord Derby may be informed of Lord Salisbury's wishes on this point.

I am to add that Lord Derby thinks that it might be advisable to send a copy of your letter to Mr. Consul Wooldridge, and would propose to do so if the suggestion meets with Lord Salisbury's concurrence.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 31.

Sir L. Mallet to Lord Tenterden.—(Received January 17.)

My Lord, *India Office, January* 16, 1878.

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of Sir Julian Pauncefote's letter of the 29th ultimo, relative to the Report of Her Majesty's Consul at Cayenne on Indian immigrants in that colony for the first half of 1877; and, in reply, to state that the Marquis of Salisbury would be much obliged to the Earl of Derby if his Lordship will communicate the substance of my letter of the 12th ultimo to the French Government, and also furnish Mr. Consul Wooldridge with a copy of the same.

I have, &c.
(Signed) LOUIS MALLET.

No. 32.

The Earl of Derby to the Marquis d'Harcourt.

M. l'Ambassadeur, *Foreign Office, January* 25, 1878.

WITH reference to my note of the 16th October and previous correspondence respecting the question of the resumption of coolie immigration to French Guiana, I have now the honour to transmit to your Excellency a copy of the Report of Her Majesty's Consul at Cayenne on the mortality among Indian immigrants in that Colony during the first half of the year 1877.*

Her Majesty's Government have read with painful interest this Report, from which it appears that, notwithstanding the efforts of the Colonial Administration for the welfare of the coolies, the Colony still appears, on account of its climate, to be very fatal to the Indian population, and I am informed by the Secretary of State for India that until a diminution of this mortality can be obtained by the supply of a sufficient number of medical men, and by the provision of hospitals on every plantation and placer where a fixed number of immigrants is employed, the Government of India will be unable to permit the resumption of the immigration from that country.

With regard to this matter your Excellency will observe that Her Majesty's Consul states that Article 31 of the Immigration Act, to whose stipulations he draws attention, is a dead letter.

Your Excellency will also observe that Her Majesty's Consul draws attention to an article in the "Revue Scientifique," entitled "Les Coolies de la Guyanne," from which he gives quotations in translation, which gives a sad description of the condition and treatment of the immigrants, and Lord Salisbury trusts that the attention of the Commission of Inquiry referred to in your Excellency's note of the 25th May last, will have been drawn to this article by the French Government, and that the Commission will be able to suggest remedies for the evils therein set forth.

Lord Salisbury, on the other hand, has expressed his gratification at learning the

* Inclosure in No. 28.

very favourable results which have attended the efforts of Dr. François on the two plantations on which he has been employed; and, as Her Majesty's Consul is convinced that the system adopted by that gentleman may well be followed on other estates, his Lordship hopes that the proprietors will take advantage of his experience.

With regard to the concluding observations of Mr. Wooldridge's Report, in which he refers to the measures which should be taken before immigration from India to French Guiana is renewed, Lord Salisbury observes that the French Government is already aware of the requirements of the Government of India on this subject, and he trusts that they are fully alive to their importance.

I have, &c.
(Signed) DERBY.

SLAVE TRADE. No. 2 (1878).

CORRESPONDENCE respecting the Discontinuance of Coolie Importation from India.

Presented to the House of Commons by Command of Her Majesty, in pursuance of their Address dated 25th February, 1878.

LONDON:
PRINTED BY HARRISON AND SONS.

SLAVE TRADE. No. 4 (1878).

ANNUAL REPORT

OF THE

COMMANDER-IN-CHIEF IN THE EAST INDIES

ON THE

SLAVE TRADE.

Presented to both Houses of Parliament by Command of Her Majesty.
1878.

LONDON:
PRINTED BY HARRISON AND SONS

[C.—2140.] *Price* 1*d.*

Annual Report of the Commander-in-chief in the East Indies on the Slave Trade.

The Secretary to the Admiralty to Sir J. Pauncefote.—(Received July 24.)

Sir, *Admiralty, July 23, 1878.*

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the Annual Report of the Commander-in-chief in the East Indies on the Slave Trade on that Station.

I am, &c.

(Signed) THOS. WOLLEY.

Inclosure 1.

Rear-Admiral Corbett to the Secretary to the Admiralty.

Sir, *"Undaunted," at Aden, June 28, 1878.*

I HAVE the honour to request you will lay before the Lords Commissioners of the Admiralty the following Report on the Slave Trade on the East Indies Station during the year ended 28th May, 1878.

2. The following table of comparison of the number of vessels captured and condemned, and the number of slaves released this year, with the results of last year's work, will show a manifest diminution in the Slave Traffic on the East Coast of Africa :—

Year ended—	No. of Vessels Condemned.	Gross Tonnage of Condemned Vessels.	No. of Slaves liberated.	No. of Fugitive Slave afforded Protection.
May 28, 1877	27	2,760·28	438	9
May 28, 1878	15	1,719·94	60	6
Decrease in 12 months ..	12	1,041·34	378	3

3. Her Majesty's ships have been employed on the East Coast as follows :—

Ship.	From—	To—	
London	May 28, 1877 ..	May 28, 1878 ..	Stationary at Zanzibar.
Diamond	„ 28, „ ..	August 18, 1877 ..	
Flying Fish	„ 28, „ ..	November 4, 1877 ..	
Lynx	„ 28, „ ..	April 15, 1878 ..	
Vulture	„ 28, „ ..	May 28, 1878 ..	
Vestal	October 28, 1877 ..	„ 28, „ ..	
Spartan	August 11, 1877 ..	March 25, 1878 ..	
Fawn	May 28, 1877 ..	February 21, 1878 ..	Surveying vessel.

4. These vessels have been constantly on the watch for suspicious dhows cruizing up and down the coast-line and between the mainland of Africa and the Island of Madagascar,

and their efforts have met with so much success in paralyzing the sea-traffic in slaves, that I have been able to reduce the number of vessels employed on that coast to two, besides the "London" and her boats.

5. I am indebted to Captain Sulivan, of Her Majesty's ship "London," the Senior Naval Officer on the East Coast of Africa, for the following Report on the state of the Slave Traffic in the neighbourhood of Zanzibar during the half-year ended 31st December last. He says:—

"I have great pleasure in informing you that there is a very sensible decrease in the number of slaves conveyed by sea in contravention of existing Treaties. During the last six months only 19 slaves have been captured and freed in the Vice-Admiralty Court at this port, while in the previous half-year the number liberated was 263. In the half of last year corresponding with this, 118 slaves were emancipated.

"From information obtained from the officers in charge of the blockading boats at Pemba and other sources, it appears to me that the transport of slaves by sea is being rapidly crushed out; for where, a couple of years since, the computed average number of slaves introduced into Pemba amounted to 1,000 a month, I cannot now account for more than 800 having been landed during the last six months.

"In the fourth paragraph of my last Report on the Slave Trade, I stated my opinion that the number of slaves brought to the coast during the period embraced in the Report was the result of orders given previous to the issue of the Sultan's Proclamations. This seems to be confirmed; and there now appears little doubt but that the issue of these Proclamations, and the action taken by the Sultan in this neighbourhood, combined with the blockade of Pemba by the boats of this ship, have resulted in the stoppage of the Slave Trade to an extent little anticipated in such a short time.

"About 240 slaves have been seized by the Sultan's soldiers during the last six months, the slaves freed, and the Arab owners punished. From inquiries made by Dr. Kirk, Her Majesty's Consul-General, of these Arabs, caravans of about twenty to forty each, amounting in all to about 250 slaves, only could be heard of as being brought to the coast. On the other hand, information was obtained that slaves which had been sent down by one of the Nyassa Chiefs were being taken back, no market being found for them. Reliable information of the Slave Traffic on this route has been obtained from Mr. Beardall, a member of the Universities' Mission, who a short time ago visited M'taka, one of the Nyassa Chiefs. In his journey there and back he only heard of two or three small caravans; the numbers in all, he does not consider, exceeded 200. I think it is not improbable that some of the slaves captured by the Sultan's people formed a part of the caravans seen by Mr. Beardall.

"For a long time it has been the habit of the Dewans of Kilwa to levy black-mail on ivory and other articles for trade sent down by inland Chiefs. This black-mail, which, in some instances, amounted to 50 per cent., the Sultan has put a stop to, imposing a tax of only 5 per cent., and warning the Chiefs against slaves being sent down for sale, as they would be freed and all ivory or any other article brought down by them would be confiscated."

6. I am glad to be able to supplement Captain Sulivan's remarks on the beneficial influence exerted by the Sultan of Zanzibar over the slave-dealers in his territory, by the fact that between the 1st January and 30th May last only four dhows have been found guilty of Slave Traffic in the neighbourhood of the Sultan's dominions.

7. The traffic in slaves between Mozambique and Madagascar still continues, though the Emancipation Edict of the Queen of Madagascar has to a large extent diminished the numbers introduced into that island. It is reported that purchasers could not be found for a cargo of slaves who had been landed on the coast of Madagascar. If the Hova Government had only power to enforce its will over the whole island, the Slave Trade in that region would doubtless disappear. The Hova Government appears to be acting with an honest intention to put a stop to the Traffic, and deserves every encouragement.

8. The efforts of Her Majesty's ships to check the transit of slaves across the Mozambique Channel have resulted in some captures, but the cordial and active co-operation with them of the Portuguese authorities on the one side and the French on the other would be a valuable assistance.

9. It is true that numerous dhows bearing the French flag pass between the Island of Nossi Bé and the mainland of Africa, and extend their cruizing to many places both on the mainland and in Madagascar, where they are under no supervision. Without imputing to these dhows any participation in the conveyance of slaves between intermediate ports, it is to be regretted that French vessels of war only occasionally visit that part of the station, where one ship might be constantly employed in overhauling dhows and boats carrying the French flag.

10. On the 18th of last month I had the pleasure of meeting the Captain of the French man-of-war "Fabert" (Senior Officer on the East India Station) at Aden, bound to Réunion and Nossi Bé. He was kind enough to assure me of the earnest desire of his Government to put a stop to the Slave Trade in the neighbourhood of their possessions, and I trust that his appearance off the coast of Madagascar may not be without effect in overhauling some of the coasting dhows.

11. With regard to the Slave Trade in the Red Sea, I may inform their Lordships that Her Majesty's ships "Diamond" and "Wild Swan" have been actively employed since the 1st January last in watching the Egyptian coasts, with the success, on the part of the "Wild Swan," of securing a buggalow containing 78 slaves (boys and girls). This capture has had a good effect generally, and the frequent presence of the two ships off the districts whence slaves have been usually shipped has had a deterrent influence on the Traffic. As I have only recently reported, in my letter dated the 20th April last, on this subject, I beg leave to refer their Lordships to that letter, and previous interesting reports from the officers commanding the "Diamond" and "Wild Swan."

12. The Persian Gulf has been peculiarly free from sea Traffic in Slaves, so far as can be ascertained.

13. I inclose a tabulated statement of the dhows captured during the year now ended, including those condemned.

14. Before concluding my Report, I desire to bring to their Lordships' notice the very praiseworthy zeal and watchfulness displayed by the captains, officers, and crews of Her Majesty's ships who have been employed in the suppression of the Slave Trade on this station.

I have, &c.
(Signed) JOHN CORBETT.

Inclosure 2.

VESSELS Captured or Detained on the ground of being engaged in the Slave Trade by Her Majesty's Ships on the East India Station, under the command of Rear-Admiral John Corbett, C.B., Commander-in-chief.

Name and Description of Captured Vessel.	Flag under which Captured Vessel was Sailing.	Names of Masters and Owners of Captured Vessel.	No. of Crew.	Date of Seizure.	Where Captured.	Name, Rank, and Ship of Capturing Officer.	No. of Slaves: Captured.	No. of Slaves: Died before Adjudication.	No. of Slaves: Emancipated.	Tonnage of Captured Vessel.	Before what Court Adjudicated, and on what Charge.	Decretal part of Sentence.	How Captured Vessel was Disposed of.	Remarks.
Dhow, "Futalaperi"	None	Heri; Abdallah Usiri	1	1877 Apr. 20	Melinda	Commander Ommanney, H.M.S. "Lynx."	...	...	...	132·74	Zanzibar. Slave Trade.	Condemned	Destroyed.	Slave irons on board.
Dhow, "Downir"	Arab	Heri; Slair Anudi	12	„ 24	Ditto	Ditto	...	...	...	153·39	Ditto	Ditto	Ditto.	Ditto.
Dhow, name unknown	None	Unknown	Not known	May 3	Jungoo Island, Pemba	Captain Sullivan, H.M.S. "Loudon."	93	...	93	145·31	Ditto	Ditto	Ditto	Slaves found in the jungle near to the beached vessel.
Dhow, "Malrook"	Arab	Amisi; Birvan	15	„ 16	Off Ras N'dege	Commander Ommanney, H.M.S. "Lynx."	...	...	...	95·17	Ditto	Ditto	...	Slave irons concealed on board.
Dhow, "Mamboosassa"	English	Ali bin Macuncey; Mamoo la Muridgee.	13	„ 22	Ditto	Ditto	1	...	1	98·05	Ditto	Ditto	Destroyed.	
Dhow, "M'Swaki"	Ditto	Atibo bin Mahomet; Nasir Abdakeman.	9	„ 22	Ditto	Ditto	...	...	...	40	Ditto	Restitution	Released.	
Dhow, "Lehindee"	Ditto	Mafta buna Sumani; Nagidi bin Mahkl.	11	„ 26	Off Kilwa Kiongi, Mozambique.	Ditto	2	...	2	90·27	Ditto	Condemned	Destroyed.	
Dhow, "Multafia"	Arab	Sabani; Saidi bin Abdallah	3	„ 27	Ditto	Ditto	...	...	...	70	Ditto	Ditto	Ditto.	
Dhow, "Summah"	Ditto	Sahite; Sahite	10	June 14	Ras-el-Had	Commander Wodehouse, H.M.S. "Teazer."	...	...	...	40	Muscat. Slave Trade.	Restitution	Released.	
Dhow, name unknown	Zanzibar	Ufungu; Saif bin Mussood	Not known	May 3	Pemba	Captain Sullivan, H.M.S. "Loudon."	1	...	1	Not known	Zanzibar. Slave Trade.	Ditto	Ditto	Slave freed.
Ditto	None	Unknown	Ditto	June 23	George's Gap, Pemba	Ditto	16	...	16	74·37	Ditto	Condemned	Destroyed.	
Ditto	Ditto	Ditto	Ditto	July 8	Mesurka, Pemba	Ditto	...	...	...	85·01	Ditto	Ditto	Ditto.	
Ditto	Arab	Smilie; Zabord, Musc	Ditto	„ 13	Tanga	Ditto	...	...	...	58·16	Ditto	Ditto	Ditto.	
Ditto	None	Unknown	Ditto	„ 13	Tangata	Ditto	...	...	...	30·07	Ditto	Ditto	Ditto.	
Slaves	...	Ditto	...	„ 6-7	Jungoo Island, Pemba	Ditto	5	...	5	...	Ditto	Slaves freed	...	Slaves found wandering in the jungle.
Dhow, name unknown	None	Aidi Hamadi Salem bin Hamadi.	4	„ 26	Foondoo Island, Pemba	Ditto	...	...	...	49·91	Ditto	Condemned	Destroyed.	
Dhow, "Mabruki"	Arab	Amir bin Saeed; Thalfan bin Fakir.	Not known	Aug. 28	Port Cockburn, Pemba	Ditto	...	...	...	58·87	Ditto	Ditto	Ditto.	
Dhow, name unknown	None	Unknown	Ditto	Sept. 6	Off Monganjani, mainland of Africa.	Ditto	8	...	8	34·39	Ditto	Restitution	Dhow released.	
Buteel, "Feth-el-Kerim"	Arab	Ahmed bin Saeed; Tubarak-on-Awad.	18	„ 5	Ras-el-Had	Commander Tandy, H.M.S. "Daphne."	...	...	...	93·75	Muscat. Slave Trade.	Ditto	Ditto.	
Dhow, "Ukati"	Zanzibar	Unknown; Baliera Mahini Sale.	...	„ 6	Mjenjani, East Coast of Africa.	Captain Sullivan, H.M.S. "Loudon."	...	...	...	107·62	Zanzibar. Slave Trade.	Condemned	Destroyed.	
Dhow, "Mambo-kwa-mungu."	None	Shali; Hawazi, of Tanga	3	„ 22	Off Tanga, East Coast of Africa.	Ditto	2	...	2	25·85	Ditto	Ditto	Ditto.	
Dhow, name unknown	Ditto	Abdallah; Jumani bin Salman.	5	„ 22	Quali, near Tanga, East Coast of Africa.	Ditto	...	...	...	60·71	Ditto	Ditto	Ditto.	
Ditto	Ditto	Suadi; Hamadi, of Pangani	...	„ 29	Pangani, East Coast of Africa.	Ditto	...	...	...	34·29	Ditto	Ditto	Ditto.	
Ditto	Ditto	Unknown; Jairam Seaje	4	„ 30	Mkoko ani, Zanzibar	Ditto	2	...	2	Not known	Ditto	Restitution	Released.	
Ditto	Ditto	Unknown	4	Nov. 17	Brisk Island, Pemba	Ditto	2	...	2	81 85	Condemned	Condemned	Destroyed.	
Ditto	Ditto	Unknown; Sheeref M'ten-ly Halwa.	...	Dec. 21	Mautyrano	Captain Tracey, H.M.S. "Spartan."	...	...	...	136	Ditto	Ditto	Ditto.	
Dhow, "Bega"	English	Damugu; Jetha Gopalf	6	„ 14 1878	Zanzibar Channel	Commander Selby, H.M.S. "Vestal."	1	...	1	30·60	Ditto	Restitution	Released.	
Slaves	...	...	...	Jan. 11	Zanzibar, town of	Captain Sullivan, H.M.S "London."	6	...	6	...	Zanzibar	...	Slaves freed	Imported from Bagamoyo, mainland of Africa.
Ditto	...	...	...	„ 24	Ditto	Ditto	1	...	1	...	Ditto	...	Ditto	Ditto.
Dhow, "Fatel-el-Kerim"	Arab	Mahomed bin Rashid, Abdallah bin Rashid	23	Mar 3	Off Ras N'dege	Commander Ommanney, H.M.S. "Lynx."	...	...	...	201·79	Zanzibar. Slave Trade.	Condemned	Destroyed.	Slave iron on board.

Vessels Captured or Detained on ground of being engaged in Slave Trade, &c.—*continued.*

Name and Description of Captured Vessel.	Flag under which Captured Vessel was Sailing.	Names of Masters and Owners of Captured Vessel.	No. of Crew.	Date of Seizure.	Where Captured.	Name, Rank, and Ship of Capturing Officer.	No. of Slaves			Tonnage of Captured Vessel.	Before what Court Adjudicated, and on what Charge.	Decretal part of Sentence.	How Captured Vessel was Disposed of.	Remarks.
							Captured.	Died before Adjudication.	Emancipated.					
Dhow, "Fath-el-Kair" ...	Arab ...	Joummah; Fakah	11	1878 Feb. 19	Villamatza, Madagascar ...	Commander Selby, H.M.S. "Vestal."	2	...	...	97·724	Zanzibar. Slave Trade.	Restitution	Destroyed... ...	Slaves escaped.
Dhow, "Mambo-kwa-Munga."	English ...	Madiariva; Abdallah-Sali-Jeffarji.	...	Apr. 8	Pemba	Captain Sulivan, H.M.S. "London."	...	...	...	52	Ditto	Ditto	Released.	
Slaves	...	... ...	...	Mar. 28	Ditto	Ditto	15	...	11	...	... ...	... ...	... ...	Four not condemned.
Dhow, "Mambo-kwa-Munga."	English ...	Ama; Nasur Dosa	...	Apr. 18	Ditto	Ditto	4	...	4	74	Zanzibar. Slave Trade.	Condemned	Destroyed.	
Dhow, "Mabruk" ...	Ditto ...	Rhamis; Ghelah Rheunnel	...	,, 15	Ditto	Ditto	1	...	1	125	Ditto	Ditto	Ditto.	

JOHN CORBETT, *Rear-Admiral, Commander-in-chief.*

SLAVE TRADE. No. 4 (1878).

ANNUAL REPORT of the Commander-in-chief in the East Indies on the Slave Trade.

Presented to both Houses of Parliament by Command of Her Majesty. 1878.

LONDON:
PRINTED BY HARRISON AND SONS.

PUBLIC HEALTH ACTS, 1872 AND 1875 (LOCAL LOANS).

CX-K.47

RETURN to an Order of the Honourable The House of Commons, dated 11 May 1877;—*for*,

RETURN "showing the Amount of MONEY authorised by the LOCAL GOVERNMENT BOARD to be Borrowed by LOCAL AUTHORITIES (distinguishing URBAN from RURAL), under 'THE PUBLIC HEALTH ACT, 1872,' and 'THE PUBLIC HEALTH ACT, 1875,' during each of the Years 1872, 1873, 1874, 1875, and 1876, for the purpose of supplying WATER to their respective Districts; the Amount of such LOANS recommended to be Advanced by the PUBLIC WORKS LOAN COMMISSIONERS, and the Number of Years allowed for the Repayment of such LOANS, in the following form:--

1872.

NAME of AUTHORITY.	Whether Urban or Rural.	Amount of Loan Sanctioned.	Amount recommended to be Advanced by Public Works Loan Commissioners.	Number of Years allowed for Repayment.

Local Government Board,
3 June 1878.

JOHN LAMBERT,
Secretary.

(*Mr. Alexander Brown.*)

Ordered, by The House of Commons, *to be Printed*,
4 *June* 1878.

RETURN showing the Amount of MONEY authorised by the LOCAL GOVERNMENT BOARD to be Borrowed by LOCAL AUTHORITIES (distinguishing URBAN from RURAL), under "THE PUBLIC HEALTH ACT, 1872," and "THE PUBLIC HEALTH ACT, 1875," during each of the Years 1872, 1873, 1874, 1875, and 1876, for the purpose of supplying WATER to their respective Districts; the Amount of such LOANS recommended to be Advanced by the PUBLIC WORKS LOAN COMMISSIONERS, and the Number of Years allowed for the Repayment of such LOANS.

YEAR 1872.

NAME OF AUTHORITY.	Whether Urban or Rural.	Amount of Loan Sanctioned.	Amount recommended to be Advanced by Public Works Loan Commissioners.	Number of Years allowed for Repayment.
		£.	£.	
Atherton	Urban	550	550	30
Bedlingtonshire	"	300	-	30
Ditto	"	100	-	30
Bideford	"	2,800	-	30
Bishop's Stortford	"	8,750	8,750	30
Buxton	"	10,000	10,000	30
Castleford	"	2,800	-	30
Cleator Moor	"	1,500	-	30
Croydon	"	6,389	-	30
Ditto	"	250	-	30
Eastbourne	"	170	-	30
Hastings	"	5,500	5,500	30
Ivybridge	"	1,000	-	30
Knaresborough, &c.	"	12,000	-	50
Llanelly	"	7,261	-	50
Ditto	"	5,000	-	50
Ditto	"	3,400	-	50
Malton	"	200	-	30
Milverton	"	140	-	30
Sittingbourne	"	1,500	-	30
Soothill, Upper	"	18,000	-	50
Spennymoor	"	400	-	30
Tranmere	"	2,500	-	50
Warwick	"	260	-	30
Welshpool	"	100	-	30
Wimbledon	"	3,299	-	30
Antony	Rural	3,000	-	30
Hemel Hempstead	"	300	-	20
TOTAL £.		97,469	24,800	

YEAR 1873.

			-	30
Bedlingtonshire	Urban	258	-	30
Bishop Auckland	"	400	-	30
Carmarthen	"	700	700	30
Chippenham	"	700	2,050	30
East Cowes	"	2,050	321	30
Fareham	"	321	1,000	15
Hinckley	"	1,000	6,889	30
Horbury	"	6,889	4,770	50
Kidderminster	"	4,770	-	30
Meltham	"	511	45	30
Newcastle-under-Lyme	"	45	18,000	30
North Bierley	"	18,000	-	30
[illegible]awestry	"	2,000	—	—
[illegible] Darwen	"	10,000	258	30
[illegible]nce	"	258	63	30
	"	63		
	"			

YEAR 1873—*continued.*

NAME OF AUTHORITY.	Whether Urban or Rural.	Amount of Loan Sanctioned.	Amount recommended to be Advanced by Public Works Loan Commissioners.	Number of Years allowed for Repayment.
		£.	£.	
Stroud	Urban	210	-	50
Sudbury	,,	7,450	-	26
Uxbridge	,,	2,400	2,400	30
Welshpool	,,	300	-	30
West Cowes (Isle of Wight)	,,	400	-	30
Widnes	,,	5,000	-	50
Witham	,,	850	-	30
Garforth	Rural	250	250	30
Ideford	,,	150	150	10
Ditto	,,	90	-	10
Languicke	,,	875	-	30
St. Leonard's	,,	980	980	30
TOTAL £.		66,920	37,876	

YEAR 1874.

Aberdare	Urban	22,000	22,000	30
Ashton-under-Lyne	,,	15,500	-	50
Baildon	,,	4,700	-	30
Barmouth	,,	2,800	2,800	30
Barnard Castle	,,	5,000	5,000	30
Bideford	,,	500	-	30
Bingley	,,	1,000	-	30
Ditto	,,	2,000	-	30
Bishop's Stortford	,,	1,300	1,300	30
Blaydon	,,	1,000	1,000	21
Ditto	,,	1,000	1,000	30
Bromborough	,,	400	400	30
Buxton	,,	8,000	—	—
Clayton	,,	5,500	5,500	50
Cleator Moor	,,	2,500	-	30
Epsom	,,	2,500	2,500	20
Exmouth	,,	150	-	20
Glastonbury	,,	500	-	30
Ilfracombe	,,	301	301	30
Knaresborough	,,	11,000	-	50
Malvern	,,	3,400	-	30
Milverton	,,	245	245	30
Newton-in-Mackerfield	,,	1,000	-	30
Normanton	,,	6,500	6,500	30
Over Darwen	,,	10,000	—	—
Penzance	,,	803	803	30
Redcar	,,	700	-	30
Rotherham	,,	5,000	5,000	30
Ryde	,,	600	-	20
St. Helens	,,	15,330	-	30
Sherborne	,,	4,000	-	30
Silsden	,,	2,000	2,000	30
Southampton	,,	14,000	14,000	30
Stocksbridge	,,	6,000	6,000	30
Stroud	,,	750	-	50
Swansea	,,	3,837	-	50
Ditto	,,	80,000	—	—
Tenby	,,	10,000	10,000	30
Thornton	,,	500	500	30
Tormoham	,,	6,000	6,000	30
Tottenham	,,	750	-	30
Upperthong	,,	3,500	-	30
West Cowes	,,	120	-	20
Weston-super-Mare	,,	513	513	30
Widnes	,,	20,000	-	30
Workington	,,	537	-	30
Atherstone	Rural	500	-	30
Bettws-y-coed	,,	508	508	30

YEAR 1874—*continued.*

NAME OF AUTHORITY.	Whether Urban or Rural.	Amount of Loan Sanctioned.	Amount recommended to be Advanced by Public Works Loan Commissioners.	Number of Years allowed for Repayment.
		£.	£.	
Bishop Monkton	Rural	300	300	30
Danby	„	640	-	30
Gildersome	„	2,800	2,800	30
Ditto	„	2,000	-	30
Halstead	„	200	200	20
Hudswell	„	180	-	20
Hutton Conyers	„	300	300	30
Leintwardine	„	350	-	30
Llan-ddewir-Cwm	„	50	-	30
Llanwst	„	1,800	1,800	30
Markington	„	250	250	30
Rainton-with-Newby	„	500	500	30
St. Mary-in-the-Castle	„	325	325	30
Whiston	„	1,500	-	30
Wincanton	„	4,000	4,000	30
TOTAL £.		304,939	104,345	

YEAR 1875.

Bakewell	Urban	5,500	5,500	30
Bedlingtonshire	„	26,345	26,345	30
Chippenham	„	8,000	8,000	30
Churwell	„	2,000	2,000	50
Cleator Moor	„	1,500	-	30
Crewe	„	500	500	30
Croydon	„	1,710	1,710	30
Dwygyfylchi	„	400	400	30
Hastings	„	11,000	-	30
Ditto	„	20,000	20,000	30
Heaton	„	6,900	6,900	30
Hebden Bridge	„	2,800	2,800	30
Huntingdon	„	5,000	5,000	30
Loughborough	„	860	-	30
Monk Bretton	„	3,000	3,000	20
Over Darwen	„	2,110	—	—
Ditto	„	10,000	—	—
Penzance	„	4,400	4,400	30
Ditto	„	1,452	1,452	30
Preston	„	40,000	-	50
Richmond (Surrey)	„	28,000	28,000	30
Ripley	„	2,135	2,135	30
Shanklin	„	1,796	1,796	30
Sheerness	„	10,000	10,000	50
Southampton	„	11,700	11,700	30
Teignmouth	„	1,500	-	30
Tenby	„	2,174	-	30
Thetford	„	7,500	7,500	30
Totnes	„	1,328	1,328	30
Tottenham	„	1,905	1,905	30
Ditto	„	28	28	30
Ditto	„	776	776	30
Tyldesley-with-Shakerley	„	2,000	-	30
Uxbridge	„	3,000	3,000	30
West Cowes	„	10,000	10,000	50
Worsborough	„	2,000	2,000	20
Worthing	„	6,000	6,000	50
Ardsley	Rural	1,140	-	20
Biddulph	„	2,749	2,749	30
Broadway	„	1,200	1,200	30
Cadoxton	„	360	360	30
Flamstead	„	600	600	30
Flimby	„	2,120	2,120	30
Golborne	„	6,000	6,000	30
Great Sutton	„	150	-	20

YEAR 1875—*continued.*

NAME OF AUTHORITY.	Whether Urban or Rural.	Amount of Loan Sanctioned.	Amount recommended to be Advanced by Public Works Loan Commissioners.	Number of Years allowed for Repayment.
		£.	£.	
Grindon	Rural	330	330	30
Kingswear	„	2,000	—	30
Little Sutton	„	150	—	20
Llanwrtyd	„	600	600	30
Middleton-by-Workswith	„	400	400	30
Murton	„	60	60	30
Napton	„	350	350	30
North Wingfield	„	2,346	—	30
Odd Rode	„	74	74	30
Pentyrch	„	750	—	30
Pilsley	„	3,250	—	30
Ramsden	„	150	150	30
St. Andrew's	„	450	450	30
St. Arvan's	„	200	200	20
Sedbergh	„	600	—	20
Tupton	„	5,764	—	30
Wincanton	„	585	—	30
TOTAL £.		277,697	189,818	

YEAR 1876.

Alton	Urban	6,240	6,240	30
Ashby-de-la-Zouch	„	740	—	30
Atherton	„	2,158	—	20
Baildon	„	665	—	30
Bath	„	10,000	—	60
Ditto	„	8,250	—	30
Bedford	„	1,500	—	20
Blaydon-on-Tyne	„	900	—	30
Burley	„	2,000	—	—
Buxton	„	4,800	4,800	50
Chipping Norton	„	400	400	30
Coleford	„	560	—	30
Cowpen	„	8,500	8,500	30
Croydon	„	7,400	7,400	30
Ditto	„	2,450	2,450	30
Ditto	„	1,050	1,050	30
Ditto	„	3,250	3,250	30
Darton	„	4,500	4,500	30
Dover	„	700	700	30
Dronfield	„	1,939	—	30
Ebbw Vale	„	23,900	23,900	50
Epsom	„	440	440	30
Fareham	„	80	—	30
Gloucester	„	12,085	12,085	30
Hastings	„	7,000	7,000	30
Kirkburton	„	3,000	—	30
Kirkby Lonsdale	„	5,000	5,000	30
Leamington	„	17,000	17,000	30
Leigh	„	5,000	—	30
Littlehampton	„	1,500	—	30
Llanelly	„	19,487	—	50
Loughborough	„	1,300	—	30
Lower Brixham	„	81	—	20
Merthyr Tydfil	„	2,000	—	50
Ditto	„	17,100	—	50
Millom	„	15,324	—	—
Nantwich	„	50	—	20
Ditto	„	750	750	30
Neston and Parkgate	„	200	—	30
Newport (Isle of Wight)	„	12,000	12,000	30
Newton-in-Mackerfield	„	3,000	3,000	30
Ossett-cum-Gawthorpe	„	17,800	—	—
Penzance	„	1,700	1,700	30
Peterborough	„	60,000	—	50

YEAR 1876—*continued.*

NAME OF AUTHORITY.	Whether Urban or Rural.	Amount of Loan Sanctioned.	Amount recommended to be Advanced by Public Works Loan Commissioners.	Number of Years allowed for Repayment.
		£.	£.	
Pontefract	Urban	4,370	-	30
Ripley	"	7,365	-	50
Rugby	"	600	-	30
Shipley	"	5,000	—	—
Ditto	"	24,122	-	50
Ditto	"	5,000	—	—
Sittingbourne	"	440	-	30
Stafford	"	5,000	—	—
Stanhope	"	30	30	30
Stroud	"	800	-	50
Ditto	"	170	-	30
Ditto	"	130	-	30
Teignmouth	"	800	-	30
Truro	"	914	-	10
Tunbridge Wells	"	12,180	-	40
Upperthong	"	1,500	-	30
Warwick	"	4,150	4,150	50
Ditto	"	13,350	-	50
Wellingborough	"	5,000	5,000	30
Winsford	"	7,500	7,500	30
Ditto	"	6,500	6,500	30
Wombwell	"	6,000	6,000	30
Appleby	Rural	2,310	2,310	50
Ardsley	"	446	446	20
Beadlam	"	500	500	30
Bettws-y-coed	"	694	694	30
Bongate	"	2,310	2,310	50
Bradwell	"	1,400	1,400	30
Brampton	"	3,500	3,500	30
Cadoxton	"	240	240	21
Ditto	"	100	100	21
Chapeltown	"	5,000	-	30
Coal Aston	"	257	257	30
Dronfield	"	403	403	30
East Dean	"	7,436	-	30
East Dereham	"	700	700	30
Ellenborough and Ewanrigg	"	400	-	30
Flaxley	"	1,003	-	30
Fryerning	"	358	358	30
Frampton, Great and Little	"	380	380	30
Hinder's Lane and Dockham	"	311	-	30
Hovingham	"	1,035	1,035	30
Ingatestone	"	716	716	30
Llanrwst	"	745	745	30
Luccombe	"	170	-	30
Nawton	"	1,000	1,000	30
Newton-on the-Moors	"	530	530	30
Ditto	"	232	232	30
Ovington	"	300	-	30
Pentyrch	"	500	500	30
Porlock	"	350	-	30
Ditto	"	300	-	30
Ramsden	"	250	-	30
Resolven	"	700	700	30
St. Andrew's	"	200	-	30
Sawdon	"	340	-	30
Taddington and Priestcliff	"	1,200	-	30
Unstone	"	1,334	1,334	30
Whiston	"	500	500	30
Willersey	"	600	600	25
TOTAL £.		443,370	172,735	
GRAND TOTAL £.		1,190,395	529,574	

PUBLIC HEALTH ACTS, 1872 AND 1875 (LOCAL LOANS).

RETURN showing the Amount of MONEY authorised by the LOCAL GOVERNMENT BOARD to be BORROWED by LOCAL AUTHORITIES (distinguishing URBAN from RURAL), under "THE PUBLIC HEALTH ACT, 1872," and "THE PUBLIC HEALTH ACT, 1875," during each of the Years 1872, 1873, 1874, 1875, and 1876, for the purpose of supplying WATER to their respective Districts; the Amount of such LOANS recommended to be advanced by the PUBLIC WORKS LOANS COMMISSIONERS, and the Number of Years allowed for the Repayment of such LOANS.

(*Mr. Alexander Brown.*)

Ordered, by The House of Commons, *to be Printed,*
4 *June* 1878.

Landlord and Tenant (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title.
2. Construction of Act.
3. Interpretation.
4. Claims for increased rent in certain cases to be settled by arbitration.
5. Arbitration.
6. Appointment of standing umpire.
7. Remuneration of standing umpire.
8. Notice to quit to state the grounds why the same is given.
9. Stamp duty on notices to quit to be 1*l.*
10. Provisions of section 31 of the Landlord and Tenant (Ireland) Act, 1870, as to rules to extend to purposes of Act.

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TO

Provide for the equitable settlement of Rent in certain cases of difference between Landlords and Tenants in Ireland, and to make better provision as to Notices to Quit; and for other purposes. A.D. 1878.

WHEREAS it is expedient to promote the continuous occupation of holdings in Ireland, as far as may be, by the same tenants, and for such purpose to make provisions such as are in this Act contained with respect to the settlement by arbitration of disputed claims for increased rent, and with respect to notices to quit:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Landlord and Tenant (Ireland) Act, 1878." Short title.

2. This Act and "The Landlord and Tenant (Ireland) Act, 1870," and the Acts amending the same, shall be construed together as one Act. Construction of Act.

3. In this Act— Interpretation.

The expression "Lord Chancellor" shall mean Lord Chancellor of Ireland, and shall include Lords Commissioners and Lord Keeper of the Great Seal of Ireland.

The expression "Supreme Court" shall mean the Supreme Court of Judicature in Ireland.

The expression "prescribed" shall mean prescribed by any rules made in pursuance of this Act.

4. Where the landlord of any holding to which this section applies is desirous that the tenant of such holding should not be Claims for increased rent in

A.D. 1878.

certain cases to be settled by arbitration.

disturbed, but should continue in occupation of the same, subject to the payment of an increased rent to be settled in the manner provided by this Act, then and in every such case the landlord may, in the prescribed manner, serve upon the tenant a notice in the prescribed form (in this Act referred to as a "notice to treat"), setting forth the increased rent claimed by the landlord in respect of such occupation, and requiring the tenant, within *two months* after service of the notice to treat, to serve upon the landlord a reply thereto in the prescribed form, stating whether he is willing or not to pay the increased rent mentioned in the notice to treat.

In case the tenant fails, within such period of two months after service of the notice to treat, to serve upon the landlord such reply as aforesaid, then and in every such case the notice to treat shall operate as a notice to quit such holding unless the same be held for the unexpired residue of a term of years, and shall, as from the date of the service thereof, have all and the like effect as if the same had been a notice to quit such holding.

In case the tenant serves upon the landlord within such period of two months a reply in the prescribed form agreeing to pay the increased rent specified in such notice to treat, then and in every such case the rent thereafter payable in respect of such occupation shall be such increased rent until altered by agreement, or in manner by this Act prescribed, or until the tenancy be determined.

In case the tenant serves upon the landlord within such period of two months a reply in the prescribed form refusing or not agreeing to pay the increased rent specified in the notice to treat, then and in every such case a dispute as to the amount of the increase (if any) in the rent then payable by the tenant shall be deemed to have arisen between the landlord and tenant, and such dispute shall be settled by arbitration under this Act.

This section shall apply only to holdings which are agricultural or pastoral in their character, or partly agricultural and partly pastoral, and which are held upon tenancies determinable by notice to quit, or for terms of years whereof not more than *eighteen months* are unexpired.

Any increase of rent payable in pursuance of a notice to treat shall commence to be paid, in the case of a holding held for the unexpired residue of a term of years, from and after the expiration of such term of years, and in every other case from and after the gale day which shall occur next after the expiration of *six months* from the date of the service of the notice to treat.

Arbitration.

5. Arbitrations under this Act, shall be conducted in manner directed by The Railways Clauses Consolidation Act, 1845, and for

this purpose the sections of the said Act with respect to the settlement of disputes by arbitration shall be incorporated herewith, subject to the qualification that the person to act as umpire shall be the standing umpire appointed in manner by this Act provided, and that the costs of any proceedings before the standing umpire shall follow the event; and that where two arbitrators under this Act differ on any matter referred to them, they shall forthwith after such difference give notice in the prescribed form of such difference to the standing umpire.

The arbitrator, arbitrators, or standing umpire, when settling the amount of the increase (if any) in the rent of any holding payable by the tenant, shall have regard to the letting value of holdings similarly circumstanced in the neighbourhood of such holding, and to what is fair and reasonable as between the landlord and the tenant under all the circumstances of the case, and may decide whether or not any increase in the rent of such holding shall be payable by such tenant, and the amount of such increase (if any); and such decision shall be binding on the parties, and the rent payable in respect of the occupation of such holding shall be in accordance therewith, until altered by agreement, or in manner by this Act prescribed, or until the tenancy be determined.

Appointment of standing umpire.

6. As soon as may be after the passing of this Act, and from time to time thereafter when necessary for the purpose of appointing a standing umpire or standing umpires to act in execution of this Act, the Lord Chancellor shall convene an Extraordinary Council of the Judges of the Supreme Court, and at every such Extraordinary Council such standing umpire or standing umpires as may then be required shall be appointed by the majority of the Judges then present.

There shall at first be only one such standing umpire, but an additional standing umpire or additional standing umpires may, at any time after the first appointment of a standing umpire under this Act, and from time to time thereafter, be appointed by the said Judges in such Council assembled, whenever it appears to them, on the representation of the Lord Chancellor made with the concurrence of the Commissioners of Her Majesty's Treasury, that such additional standing umpire or additional standing umpires is or are required for the due execution of this Act. In case at any time an additional standing umpire or additional standing umpires is or are appointed by the said Judges in manner aforesaid, then and in every such case the said Judges shall divide Ireland into as many districts as there are standing umpires, and shall fix the

A.D. 1878.

districts in which such standing umpires shall have power to act in execution of this Act respectively, and thereupon each standing umpire shall, with respect to the holdings situate in the district assigned to him, be the standing umpire for the purpose of this Act.

The Secretary to the Lord Chancellor shall cause notice of the appointment of every standing umpire (setting forth his name and address) to be published once at least in each of three consecutive weeks in the Dublin Gazette, and in case of there being more than one standing umpire such notice shall specify the district assigned to the standing umpire to which it relates.

Every person appointed to the office of standing umpire in manner aforesaid shall continue in office for *three years* only from the date of his appointment, but shall be eligible for re-appointment.

A standing umpire may at any time be removed from his office by the Lord Chancellor by writing under his hand, but such removal shall be temporary only until confirmed by an Extraordinary Council of the Judges of the Supreme Court, to be convened by the Lord Chancellor as soon as may be after such removal.

If a standing umpire during his term of office dies or resigns, or is removed from office, the Lord Chancellor shall, within *one month* after notice of his death or resignation or removal, convene an Extraordinary Council of the Judges of the Supreme Court for the purpose of the appointment by such council of another person to be a standing umpire; and the person so appointed shall continue in office as long only as the person in whose place he is appointed would have been entitled to continue in office.

If any reference is pending before a standing umpire at the time when he resigns or goes out of office, by effluxion of time or otherwise, it may, on the request in writing of the Lord Chancellor, made within one month thereafter, be proceeded with by him, and his decision shall have the like effect as if he had not resigned or gone out of office; and otherwise every reference pending before a standing umpire when he dies, resigns, is removed, or goes out of office in any manner, shall be deemed to be discontinued.

Remuneration of standing umpire.

7. *The remuneration of a standing umpire shall be such as may be fixed by the Lord Chancellor with the approval of the Treasury, and the same shall be paid out of moneys to be provided by Parliament for that purpose.*

Notice to quit to state the grounds

8. Every notice to quit served after the passing of this Act shall show specifically upon the face of it the grounds or reasons why the same is given, and it shall not be sufficient to state

generally that the landlord seeks to determine the tenancy in exercise of a legal right, and any notice to quit not in accordance with this provision shall be null and void. A.D. 1878. why the same is given.

9. *Section fifty-eight of the Landlord and Tenant (Ireland) Act,* 1870, *shall, with respect to notices to quit to be served after the passing of this Act, be construed as if the amount of the duty the payment of which is by the said section required to be denoted thereon by a stamp were one pound instead of two shillings and sixpence.* Stamp duty on notices to quit to be 1*l.*

10. The provisions of section thirty-one of the Landlord and Tenant (Ireland) Act, 1870, as the same are amended by the Supreme Court of Judicature Act (Ireland), 1877, shall extend and apply to the making, rescinding, annulling, or adding to rules with respect to the following matters; Provisions of section 31 of the Landlord and Tenant (Ireland) Act, 1870, as to rules to extend to purposes of Act.

The forms to be used for the purposes of this Act;

The manner in which forms used for the purposes of this Act are to be served;

The sittings of the standing umpire or standing umpires appointed under the authority of this Act; and

As to any other matter or thing, whether similar or not to those above mentioned, in respect of which it may be expedient to make rules for the purpose of carrying this Act into effect.

Landlord and Tenant (Ireland).

A

B I L L

To provide for the equitable Settlement of Rent in certain cases of difference between Landlords and Tenants in Ireland, and to make better provision as to Notices to Quit; and for other purposes.

(*Prepared and brought in by Mr. Herbert, Mr. King-Hannan, and Mr. Dease.*)

Ordered, by The House of Commons, *to be Printed,* 14 *June* 1878.

[Bill 218.]

Under 1 *oz.*

TWENTY-FIFTH REPORT

OF

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES.

Presented to both Houses of Parliament by Command of Her Majesty.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

WE, the Charity Commissioners for England and Wales, humbly submit to Your Majesty the following Report of our proceedings during the year 1877.

The continued exercise by us of the special jurisdiction created by the Endowed Schools Acts, distinct as it is from that which we have administered under the provisions of the Charitable Trusts Acts since the establishment of our Commission, requires a twofold division of this Report, as of those for the two preceding years.

I.—PROCEEDINGS UNDER THE CHARITABLE TRUSTS ACTS.

Classified statement of Orders made during the year.

The subjoined classified statement specifies the number and principal objects of the Orders which we have made under our Official Seal during the past year, and the five years immediately preceding it. It is, however, to be remembered that this Table furnishes a very inadequate measure of the amount of business transacted, and of the aggregate number of distinct applications dealt with in our Office. There is necessarily excluded from it, as from any formal statement, an enumeration of the larger number of cases, frequently of equal importance, and calling for the like investigation and con-

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sideration with those which issue in a formal Order, which are disposed of by us simply by correspondence or in personal conference with the applicants.

Objects of Orders.	Number. During the year 1877.	During the year 1876.	During the year 1875.	During the year 1874.	During the year 1873.	During the year 1872.
Authorising applications to the Court of Chancery	44	26	25	38	41	28
" " County Courts	2	1	—	6	1	5
" " Courts of Common Law	7	11	9	6	6	7
Appointing and removing trustees, and establishing schemes, or for some of those purposes	417	412	415	365	393	414
Approving appointments of trustees under schemes, &c.	119	110	79	82	63	62
Certifying cases to the Attorney General, with a view to the institution by him of ex-officio proceedings	—	2	1	4	2	2
Conveying advice to trustees for their protection and indemnity on questions involving their personal responsibility	25	35	31	32	35	53
Authorising the purchase of real estate	36	38	32	25	25	31
" sales of Charity estates	350	304	363	310	217	229
" exchanges*	6	9	10	9	6	7
" building, mining, and other special leases	224	195	157	197	125	134
" improvements of Charity estates, and the raising or appropriation of the necessary funds	95	107	96	78	80	60
" the compromise of claims	34	34	28	27	25	15
" transfers of stock or money to "The Official Trustees of Charitable Funds"	548	478	537	459	451	452
" Sales of stock held by the official trustees of Charitable Funds	142	104	96	83	68	44
" payment of the proceeds of sales of stock made by the official trustees of Charitable Funds	142	104	96	83	68	44
Granting certificates under third section of "The Endowed Schools Act, 1873"	3	12	11	34	—	—
Granting certificates of incorporation under "The Charitable Trustees Incorporation Act, 1872"	2	—	2	—	2	—
For various purposes not comprised under any of the foregoing heads	231	†492	233	208	268	118
Total	2,427	2,474	2,221	2,046	1,876	1,705

* The powers of the Inclosure Commissioners to make exchanges of Charity lands being more summary and beneficial than the powers vested in our Board for the same purposes, such transactions are most generally referred to their cognizance.

† Including 221 Orders directing notices to be given to tenants of Charity property under sec. 50 of the "Agricultural Holdings (England) Act, 1876."

Sales of Real property.

The sales of the real property of Charities during the last four years have been as follows:—

Year.	No.	Price. £ s. d.
1874	310	267,032 15 7
1875	363	332,614 9 0
1876	300	289,374 16 1
1877	350	421,045 7 1
		1,310,067 7 9

The total number of Orders authorising these sales since 1853 has been 4,135, and the total amount of purchase money 4,048,588*l.* 17*s.* 9*d.*

The continued increase in the number of Orders authorising sales and improvements of Charity Estates, is, in a large measure, due to the operation of Schemes made under the Endowed Schools Acts, by which provision is commonly made for raising capital sums by the sale of Charity property or otherwise, and for their expenditure in the erection and improvement of school buildings.

In many cases the money thus required is obtained by the sale of Stock and other Securities held by the Official Trustees of Charitable Funds in trust for the Charity, and, as Orders giving authority for this purpose have consequently become more frequent, we have now, for the first time, caused them to be distinguished from the general class of Miscellaneous Orders, in which they have hitherto been comprised in our Reports. Of these Orders, 142 have been made by us during the past year, together with

a like number of Orders directing the payment of the proceeds of the sales thus authorised.

The total sum of Stocks and Investments held by the Official Trustees on the 31st December 1877, amounted to 7,793,660*l.* 15*s.* 9*d.* divided into 8,793 separate accounts. Department of Official Trustees of Charitable Funds.

We add, as in former Reports, a statement of the amounts of stock transferred to "The Official Trustees of Charitable Funds," and re-transferred or sold by them annually since the year 1854, when they commenced their functions.

	Amount of Stock, &c. transferred.	Amount re-transferred.
	£ s. d.	£ s. d.
In the year 1854	6,360 16 11	—
1855	21,158 17 3	—
1856	118,115 4 2	32 2 6
1857	159,735 11 1	4,023 11 8
1858	110,417 12 1	5,650 16 8
1859	189,084 10 10	1,436 1 9
1860	202,816 17 2	1,780 17 7
1861	293,786 17 0	7,530 9 6
1862	330,131 10 2	31,926 16 11
1863	269,488 18 11	14,670 1 4
1864	459,162 10 8	7,927 4 9
1865	319,820 14 7	14,454 17 9
1866	316,476 0 11	20,558 18 5
1867	348,617 18 2	14,786 8 0
1868	458,092 10 0	35,458 16 11
1869	547,967 10 10	44,965 14 8
1870	533,667 7 4	65,831 13 3
1871	413,934 5 3	55,008 10 5
1872	433,557 13 10	33,627 9 5
1873	592,041 11 2	73,940 13 1
1874	520,370 12 2	151,546 15 11
1875	670,033 8 6	105,274 10 3
1876	720,534 2 10	166,997 16 9
1877 *	770,077 14 1	154,359 12 8
Total	£8,805,450 15 11	£1,011,790 0 2
Deduct amount re-transferred	1,011,790 0 2	
Total amount of stock, &c. standing in the name of "The Official Trustees of Charitable Funds," 31st December 1877	£7,793,660 15 9	

* During the year 1877, 37,400 rupees "£4½ per cent. India Rupees Loan of 1872," and a Government Terminable Annuity of £50 for 30 years from 5th April 1855, have been also transferred to and are still held by the Official Trustees.

The amount of Stock shown in the foregoing table as re-transferred, is that which has been sold by the Official Trustees, with our sanction, for the purpose of either the re-investment in land, or the erection and repair of buildings on Charity Estates. The large increase in this amount during the last four years is mainly due to the expenditure on new school buildings directed by Schemes made under the Endowed Schools Acts.

During the past year the particulars of 226 Charities newly created or previously unrecorded in any official enumeration of Charitable Trusts have been entered in our Register of "Unreported Charities." A total number of 8,256 distinct Charities is now recorded in this Register, which forms a valuable supplement to the printed reports of the "Commission to inquire concerning Charities, 1818–37," as it comprises, in many cases, more complete information as to Charities included in those Reports, in addition to the particulars of Charities not recorded there. Unreported Charities.

The number of Returns of the Annual Accounts of Charities which have been made to our office during the past year is 20,419, the like numbers for the years 1875 and 1876, being 19,733 and 18,917 respectively. Returns of Annual Accounts of Charities.

These numbers, however large, cannot be said to indicate a general or regular compliance by the Trustees of Charities with the requirements of the law in this respect. The number of Charities, of the existence of which we have official knowledge, is upwards of 37,000, an annual return to our Office of the accounts of each of which

is prescribed by s. 44 of the Charitable Trusts Act, 1855. We have adverted in former Reports* to the difficulty of securing, in the present state of the law, the uniform observance by Trustees of this duty, and also to the reasons which have led us to consider that this enactment has, notwithstanding, been of much practical benefit to the administration of Charities.

In our Fourteenth Report we laid special stress on the fact that the obligation to make returns, and a liability to have that obligation enforced, induces accuracy on the part of administrators of Charities in the discharge of their duties. We are of opinion, however, that this advantage would be more certainly secured if further provision were made by law for giving increased publicity to these statements of Accounts when thus rendered. By sec. 61 of "The Charitable Trusts Act, 1853," it was enacted that the Statement of Account and Balance Sheet thereby required, should, in the case of every Charity whose gross annual income for the time being should not exceed 30*l.*, be delivered and sent by the Trustees of the Charity to the Clerk of the County Court to which the Charity was subject, or of the County Court for the district adjacent; or, in the case of a Charity whose income exceeded 30*l.*, to the Clerk of the Peace of the County where the Charity was established or its property was situated. Besides other provisions for the inspection and obtaining of copies of these Accounts, power was given to our Board to make such orders and directions as to the delivery and publication of Accounts as we should think fit; and thus the fullest publicity as to the income, expenditure, and financial condition of every Charity was amply secured. By "The Charitable Trusts Act, 1855," these provisions were repealed, and as the law now stands, the accounts of every Charity are required to be transmitted to our Office in London, with the further provision that in the case of Parochial Charities a copy of the Accounts shall be delivered to the Churchwardens, to be by them presented to the Vestry of the Parish, and to be open to public inspection. In the case, therefore, of the considerable number of Charities which cannot be classed as Parochial, it may be said that little or no provision is made for ensuring that publicity which appears to us to be so necessary and so valuable. It is true that copies of the Accounts are or should be sent to our Office, and may be inspected there; but to the many applicants interested in distant Charities, and desiring information as to their condition or administration, but who do not visit the metropolis, or to whom a payment for an office copy of the Accounts may be a matter of inconvenience, such a provision is of no use. We think that a recurrence to the enactment of 1853, to the extent of giving to our Board power to make such Orders for the delivery and publication of Accounts of Charities as they may think necessary, would be highly advantageous, and would greatly contribute to the satisfactory execution of Charitable Trusts.

Audit of Accounts of Charities.

In making this suggestion we are of the opinion, which we have expressed in former Reports, that the benefits to be derived from a due publication of these Accounts may be secured without any general examination or central Audit of all the Accounts rendered to us. The Charitable Trusts Acts do not prescribe, nor, as we believe, contemplate so vast an undertaking, for which, moreover, the existing establishment and machinery of our Office would be utterly inadequate. The practical value of the examination which we are able to make of Accounts rendered to our Office is much diminished by the difficulty which we experience in applying a direct remedy for any breach of trust or illegal expenditure which they may disclose. We have, it is true, the power of certifying to your Majesty's Attorney General any case in which charitable funds may be found to have been misapplied, but the cumbrous and necessarily costly process of an Information by the Attorney General in a Court of Equity has been found to be so ill adapted to this purpose, as to deter us from having recourse to it except in very special cases. It is, too, not unnaturally supposed by the public that the power to institute an effectual Audit of Accounts is implied in, or is incident to, the power to require their production, and much disappointment and annoyance is frequently caused by the discovery of the absence of any summary jurisdiction over the Accounts of Charities. We are, therefore, disposed to suggest that we should be empowered, whenever we think it desirable, on inspection of the Accounts or otherwise, to direct an Inspector or other Officer of our Board to institute a special Audit of the Accounts of any Charity, with the powers incident to the Audit of Poor Rate accounts, under the provisions of the several Poor Law Amendment and Poor Law Audit Acts.

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* 4th Report, p. 9; 13th Report, p. 3; 14th Report, p. 5.

During the past year we have prepared and laid before Parliament, in pursuance of the intention mentioned in our last Report, a Memorandum* explanatory of the scope and objects of the General Digest of Endowed Charities, the completion of which we were at length able to announce in that Report. This Memorandum was accompanied by Statistical Tables presenting, in a condensed form, the general results of the Digest, as illustrating the extent and recent increase of the property and income of Charitable Endowments, as well as their objects and geographical distribution. Increase of Property and Income of Charities.

We quote from these tables, as being of general interest, the following summarized statement of the increase in the amount of Charitable Endowments, so far as they are officially known to us, which has taken place since the issue of the Reports of the Commission of Inquiry concerning Charities, 1819–37.

	Capital Endowments.			Income of Endowments.		
	Area of Real Property.	Amount of Government, India, and Bank of England Stock.	Mortgages and other Personalty.	Rent of Houses and Lands.	Rentcharges and fixed Annual Payments.	Personalty.
	A. R. P.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
General Digest, 1861–76 -	524,311 2 6	17,418,250 13 5	2,197,478 8 4	1,443,177 14 6	115,073 4 7	640,213 4 7
Reports of Commission of Inquiry, 1819–37 - -	442,915 0 16	5,656,746 4 4	1,011,782 4 8	874,313 16 0	79,930 5 3	255,151 11 5
Increase - -	81,396 2 30	11,761,504 9 1	1,185,696 3 8	568,863 18 6	35,142 19 4	385,061 13 2
Total increase of Personalty - - -		£12,947,200 12 9		Total increase of Income -		£989,068 11 0

Total income of Endowed Charities included in the General Digest, £2,198,461.

It may be added that of the increased income of Endowments which is thus shown, about 52 per cent. is attributable to Charities which were included in the Reports of the Commissioners of Inquiry, and arises mainly from the improvement of the value of their property in the interval. About 24 per cent. of the increase represents the income of Charities existing at the date of those Reports, but not included in them, as being either undiscovered or exempt from inquiry; and about 22 per cent. is due to Charities founded since the date of the former Reports. Of this last amount rather more than half arises from Charities founded by Will, and the balance from those founded by Deed.

Notwithstanding the facilities for the ready and inexpensive appointment of Trustees of Charities, and the transfer of the Trust Estate, by the Orders of our Board, which are afforded by the jurisdiction created by the Charitable Trusts Act, 1860, appointments of New Trustees are still very commonly made by Deed.† Where, as is frequently the case, the Trust Estate is not vested in the Official Trustees of Charitable Funds, or in the Official Trustee of Charity Lands, these appointments must be perfected by a transfer of personal, or a conveyance of real estate to the New Trustees. The cost of these proceedings, which are now unnecessary, is always heavy, and in some cases they involve an expenditure nearly, if not quite, equal to a year's income of the Charity. The power of appointing Trustees is, too, sometimes so exercised as to embarrass the administration by our Board of our Statutory jurisdiction in this respect, and to give rise to doubts as to the validity of Orders made under it. Now that the experience of seventeen years working of the Charitable Trusts Act of 1860 has shown that the powers of appointing new Trustees thereby entrusted to our Board are highly beneficial, and have been largely resorted to, not merely for reducing the cost and the difficulty of changes in the constitution of Trusts, but for clearing the title of Charity Estates, it appears to us that a restriction should be placed on the wanton expenditure of Charitable Funds which is involved in appointments made under special powers by Deed. Appointment of Trustees by Deed.

It will be observed that 417 Orders have been made by our Board during the past year, in exercise of the judicial authority first conferred upon us by the Charitable Trusts Act, 1860, for the appointment or removal of Trustees, or for the establishment of Schemes for the regulation of Charities. Diversion of Judicial Business from the Courts to the Commissioners.

The following statements indicate the extent to which, since the passing of the Charitable Trusts Act, 1860, this judicial work has been diverted from the ordinary

* "Endowed Charities," Explanatory Memorandum and Tabular Summaries, House of Commons, 1877, 261.
† 20th Report of Charity Commissioners (for 1872), p. 4.

Courts to our Office, where the required relief may usually be obtained through an easy and simple course of procedure, unembarrassed by technicalities and almost wholly free from expense.

In the Year	Applications for Appointment of Trustees or establishment of Schemes authorised by the Charity Commissioners.	
	To Court of Chancery.	To County Courts.
1854	71	72
1855	88	79
1856	81	98
1857	56	98
1858	92	94
1859	86	146
1860	75	143
Total up to 1860	549	730

In the Year	Applications for Appointment of Trustees or establishment of Schemes authorised by the Charity Commissioners.		Orders made by Charity Commissioners appointing Trustees or establishing Schemes.
	To the Court of Chancery.	To County Courts.	
1861	20	3	207
1862	7	—	280
1863	6	—	351
1864	9	—	291
1865	13	1	288
1866	11	2	301
1867	5	1	352
1868	10	—	359
1869	7	1	301
1870	2	—	326
1871	5	—	348
1872	1	—	414
1873	2	—	393
1874	2	1	365
1875	1	—	415
1876	2	—	412
1877	—	—	417
Total since the passing of the Charitable Trusts Act, 1860	103	9	5,820

The circumstance, now occurring for the first time since the establishment of the Commission, that during a whole year no recourse to judicial authority for the regulation of Charities has been had, seems to invite some notice of the importance and utility of the transfer of jurisdiction from Courts of Equity to our Board, which has thus been gradually and almost imperceptibly effected, as well as of some changes in the Law which appear to be suggested by the altered conditions of the jurisdiction over Charities generally.

Up to the year 1853 the remedial jurisdiction of the Court of Chancery over Charities was still in the main exercised by means of the elaborate, costly, and generally dilatory process of a Suit or Information in its numerous and complicated stages.

But in that year important changes in the relations of the Court of Chancery to Charitable Trusts were effected. By section 17 of the Charitable Trusts Act, 1853, all access by way of original proceeding, by or on behalf of Charities, to Courts of Equitable Jurisdiction was prohibited, except with the previous sanction of our Board, or at the instance of the Attorney-General. Subject to these restrictions, the course of proceedings in Equity in Charity matters was greatly facilitated by this Act, which provided that applications for relief might be made to a Judge in Chambers, or to a Court of Bankruptcy, or to a County Court.

Between the date of this Act and the end of the year 1860, the new and more ready course of procedure thus created was, as is shown by the foregoing tables, largely resorted to, to the exclusion, in a great measure, of more formal proceedings by Suit or Information, which, similarly with the summary proceedings substituted for them, could, in that interval, and can still, be instituted only with the sanction of our Board or of the Attorney-General.

In 1860, the Charitable Trusts Act of that year conferred upon our Board the power, upon a sufficient application, and subject to the restriction to be presently noticed, of exercising on behalf of Charities so much of the jurisdiction of Courts of Equity as is conversant with the administrative, and, as it may be termed, *domestic* relief afforded to Charities mainly by the appointment of Trustees and the establishment of Schemes; as distinguished from the more strictly contentious procedure conversant with the protection of Charity property.

By the 5th section of the Charitable Trusts Act, 1860, it is provided that our Board shall not exercise the jurisdiction conferred upon them by that Act, "in any case "which, by reason of its contentious character, or of any special questions of law or of "fact which it may involve, or for other reasons, they may consider more fit to be "adjudicated upon by any of the Judicial Courts."

The practical result of the working of this Act has been, as the foregoing tables will sufficiently show, to transfer to our Board, with an exception numerically insignificant, the whole of the administrative jurisdiction over Charities, of Courts of Equity. But the importance, and in one particular the number, of the cases which still remain to be dealt with judicially are not indicated by this statement.* These cases may be thus classified:—

(*a.*) Cases brought before our Board which fall within the exception enacted by section 5 of the Charitable Trusts Act, 1860, and in which proceedings are taken in the Courts, either by the Attorney-General or by the parties, upon a certificate granted by us, in the former case, under the 20th, and in the latter, under the 17th section of the Charitable Trusts Act, 1853.

(*b.*) Cases, the nature of which forms no obstacle to the exercise of our jurisdiction, but in which the Trustees of a Charity decline to make an application on which proceedings may be based.

(*c.*) The cases, now of rare occurrence, in which the Attorney-General initiates proceedings independently of our Board.

As to the cases of the first and last of these classes it does not appear to us that any further transfer of judicial authority to our Board is desirable, or indeed practicable. There must always be a class of cases, few in number, but of considerable importance, in which questions of law and of title are so intermixed with those which more immediately concern the administration of a Charity, as to render a recourse to a purely judicial tribunal necessary for their decision. And it will probably be found that the restriction imposed on our jurisdiction by the 5th section of the Charitable Trusts Act, 1860, indicates the ultimate limit of the progress of the transfer of administrative jurisdiction over Charities, from Courts of Equity to our Board.

As to the cases of the second class, we would only observe that they will be withdrawn from litigious procedure, if effect shall be given to the suggestions for facilitating applications to our Board for the exercise of our powers under the Charitable Trusts Act 1860, which were made in our last Report.*

With reference to the more purely contentious procedure of Courts of Equity for the protection of the property of Charities, it will be found that no such transfer of jurisdiction to our Board has taken place, as has occurred in the cases in which questions of administration are exclusively or mainly raised. And it will be found that the jurisdiction over Trustees, and strangers to the Trust alike, in respect of their dealings as to the property of Charities, remains exclusively vested in judicial Courts. So far as questions between a Charity and persons claiming, not under but against it, are concerned, which may involve matters of title, it does not seem that their decision can safely or properly be removed from a judicial tribunal. Where, however, the dealings of Trustees with the Trust property are impugned, and questions of account rather than of title are raised, it may be desirable to provide, concurrently of course with the existing jurisdiction, a more summary procedure than that which is offered by formal litigation, and it is with that object that in the preceding part of this Report† we have suggested that we should be empowered to institute where necessary a summary and effectual Audit of the Accounts of Charities.†

* 24th Report, pp. 6, 7.

† Ante, p. 4.

Representation of the Board before Courts of Equity in Charity Matters.

The gradual transfer of administrative jurisdiction from the Courts to our Board, is not the only material change which has imperceptibly resulted from the operation of the Charitable Trusts Acts. Previously to the passing of those Acts, there existed no permanent public body dealing with the administration of Charities, and the only sources of information available to the Courts, were the statements and evidence of interested parties, and such particulars as the Attorney-General, representing the interests of the Charity as a public trust, might be able to furnish, in the result of special inquiries made for the purposes of a particular suit.

In the course of the exercise of the jurisdiction over Charities for twenty-five years by our Commission, a material change of circumstances has taken place in this respect. It is not too much to say that in every instance in which proceedings relating to a Charity now come before the Courts, there exists among the records of our Office, much information bearing upon the questions at issue; while, in the vast majority of cases, those questions have already, in some form or other, been submitted to, and, to some extent, have been dealt with by us.

In the altered circumstances which we have described, it appears to us that the agency of our Board may be usefully employed to facilitate the action of the Courts, both in those cases in which the administration of Charities is still dealt with by them, and in those in which protection for the property of a Charity is sought. At present we have no official access to any Court, however intimately we may have been concerned with a case, up to the actual commencement of its litigation, and though that litigation may be a direct consequence of our dealings with it, and must, almost necessarily, have been authorised by us. It appears to us that much independent assistance and information may be conveniently and directly furnished to the Courts through our Department, if provision were made, subject of course to a due reservation of the rights of the Attorney-General, for our representation in actions in Courts of Equity in Charity matters. We believe that by this means, not only might the necessity of special and costly inquiries into facts be frequently obviated, but we should be enabled to check, more effectually than is now possible, the improper institution of proceedings by or against Trustees of Charities.

Summary procedure for the recovery and preservation of Charitable Endowments.

Another modification of the Law which appears to be suggested by the experience gained by the working of the Charitable Trusts Acts, is concerned mainly with proceedings for the protection of the property of Charities. The attention of our Board has of late been frequently drawn to the subject, mentioned at some length in our Report* for 1876, of the loss of Charity property, especially of small rentcharges, which results from the not unnatural reluctance of Trustees to incur a personal liability in taking proceedings for its recovery. The following extracts from our Third and Fourth Reports will illustrate the disadvantages of the tenure by Charity Trustees of property of this nature.

"These [Rent] charges constitute very ineligible endowments of Charities, being unimprovable and of declining value, while their recovery becomes, in very numerous cases, difficult and precarious, and their payment is sometimes resisted under an undisguised reliance on the difficulty of its enforcement." Third Report (1855), p. 5.

"Very many applications are made to our Board for assistance in recovering payments of this description, and in some instances our representations to the landowners have induced their resumption. In the large majority, however, of such cases, no practical relief is found to be attainable . . . . . In many cases the documentary evidence by which the claim might be substantiated, would be sought for with the greatest probability of success in the muniments of the landowner who resists the claim, and a right to examine such documents, or to require information from their owner, being excluded from the jurisdiction of our Board by express provisions of both the Charitable Trusts Acts, we are unable to extend to the applicants even the assistance of effectual investigation.

"An Information in the Court of Chancery is, in most cases, the only compulsory mode of proceeding for the recovery of these rents, and the expense and difficulty attending the application of the remedy, operate very generally as a practical immunity to persons unscrupulously or adversely withholding their payment.

"We have repeatedly had occasion to regret the failure of justice arising from the want of some simpler and less expensive mode of asserting the rights of Charities in cases of this description, and there is reason to apprehend that the losses from this cause will continually increase, unless some remedy for the evil shall be devised by the wisdom of the Legislature." Fourth Report (1856), p. 5.

* 23rd Report, p. 3.

The necessary cost and delay of the special remedy afforded to Charities in these cases by proceedings on an Information filed *ex officio* by the Attorney General, is, as is pointed out in the above extracts, such as to deter us from certifying to him many cases in which the sole property of a Charity is a small rentcharge, which would be absolutely annihilated by the cost of the bare preliminaries to legal proceedings. The Charity being thus unable, and the Trustees unwilling, to meet the cost of litigation, the persons liable to the payment are often encouraged to withhold it, and an absolute loss of the endowment has, in many cases, occurred.

Our subsequent experience confirms the opinion, expressed in our former Reports, that some simple and inexpensive mode of asserting on behalf of the public the rights of Charities in cases of this description, is urgently needed to arrest the further waste and abstraction of Charity property. And with this view we suggest, while it is unquestionably proper that questions, such as those now under consideration, which involve rights of property, should not be withdrawn from judicial decision, that we should be empowered to institute summary proceedings in the County Courts or otherwise for the recovery, up to a limited amount, of property which we have reason to believe to be affected by a Charitable Trust.

II.—Proceedings under the Endowed Schools Acts.

We will now state the results of our proceedings under the Endowed Schools Acts.

In the accompanying tables will be found:—

(I.) A list of the Endowments for which Schemes have been published, submitted, or approved during the year;

(II.) A numerical summary of the Schemes established under the Endowed Schools Acts since the passing of the principal Act in 1869;

(III.) A summary of the Schools regulated by Schemes now in force under the Endowed Schools Acts, classified according to their several grades.

The aggregate income of the Foundations which are now regulated by Schemes under the Endowed Schools Acts amounts to 209,222*l.*, and further Schemes have been submitted to the Education Department, which, if they should become law, will add 32,665*l.*, a year to this total.

A portion of the income thus dealt with is derived from non-educational sources, and has been applied to Education for the most part under the powers conferred by the 30th section of the Act of 1869, under which not less than 10,500*l.* a year heretofore distributable in doles in money or kind, or applicable to other purposes more or less obsolete, has been appropriated, with the consent, and often at the suggestion of the Trustees, to educational objects. It has been our constant endeavour, in exercising the powers of this section, to secure to the classes for whom such Endowments were originally intended, some educational benefits which would not otherwise be accessible to them, but which it is hoped will contribute in no small degree to their independence and advancement in life. Considerable sums have also been appropriated to education from the revenues of mixed Endowments, by agreement with Trustees under section 24 of the same Act.

In dealing with Educational Endowments in general, we have felt strongly the importance of employing them so as to assist deserving Scholars in passing from Schools of an inferior grade, and more especially from Public Elementary Schools, to places of advanced instruction, and in some cases to the Universities. The method by which this object is provided may be briefly stated. Provisions are as a rule introduced into the Schemes for the establishment of Scholarships tenable in the Schools, and of Exhibitions tenable according to the grade of the School, at a University or other place of higher education, or professional, scientific, or technical training. It is usual to direct that Scholarships entitling to exemption from payment of tuition fees may be awarded to the extent of 10 or 20 per cent. of the number of Scholars in attendance, and in ordinary cases not less than half of such Scholarships are reserved in the first instance for deserving Scholars from Public Elementary Schools.

When the endowment is considerable there is generally a direction in the Scheme that separate sums of not less than a specified amount shall be applied for the purpose of maintaining Scholarships and Exhibitions, and in many cases the Scholarships are required to be of such a value as to provide not only for the cost of tuition but also for some part of the other expenses incident to attendance at School.

In Schemes for Elementary Schools to which adequate endowments are attached, it is usual to provide that some part of the Endowment shall be applied in the form of

Exhibitions tenable at schools of higher grade, or in such other way as may secure for deserving scholars educational advantages which would not otherwise be within their reach.

During the past year we have issued a series of printed questions to Governing Bodies of Grammar Schools, in order to obtain some information as to the working of Schemes which have come into operation from time to time under the Endowed Schools Acts. Returns were desired of the numbers of Scholars in attendance at the respective Schools, of the ordinary fee payable, the number of Scholarships annually offered for competition, and the number of Exhibitions held by former scholars of these Schools at the Universities or other places of higher education.

In many cases too short a time has yet elapsed to allow the Foundations which have been dealt with to exhibit the full effect of the reforms that have been applied to them, and we think it best therefore not to publish statistical details which would often be imperfect and misleading; but after carefully examining the returns, we feel justified in stating generally:—

That many Foundations which had fallen into an effete condition have been re-established as Schools of Higher Education in new and commodious buildings, and are attended by large numbers of Scholars paying substantial fees for their instruction;

That the attendance at Schools which were already successfully conducted, has, on the whole, largely increased since the new Schemes have come into operation;

That an important step has been taken in the direction of providing secondary Schools for girls, and that such Schools when established in suitable localities are at once largely resorted to.

We should have wished, in addition to this general statement, to have given some precise information as to the educational results of the altered administration of Endowed Grammar Schools, and to have been able to describe the character of the instruction given in the Schools, the methods employed in teaching, and the qualifications of teachers. We feel that the whole country has an interest in knowing how far the result of these endowments is commensurate with their extent and importance, but we have not at our disposal the means of obtaining information of this kind, for which a process of examination by means of a staff of qualified Inspectors would be necessary.

It may hereafter deserve to be considered, when the work of reorganization under the Endowed Schools Acts is more nearly completed, whether some general system of examination and supervision may not be desirable, so as to ensure the continued efficiency of the reformed foundations.

All which we humbly report to Your Majesty.

In witness whereof we have directed our Official Seal to be hereto affixed, this Twenty-eighth day of February in the year of our Lord One thousand eight hundred and seventy-eight.

L.S.

Table I.

County, Parish, or Place, and Endowment.	Income.	Published by Commissioners.	Submitted to Education Department.	Approved by Her Majesty.
Bucks:				
Abingdon:	£			
(1.) Roysse's School	584	Abingdon	Abingdon.	
(2.) Christ's Hospital				
(3.) Blacknall's Charity				
Winkfield-cum-Ascot:				
Ranelagh School	428	Winkfield.		
Buckingham:				
Grendon Underwood and Quainton:				
Lady Say and Sele's and other Charities	429*	Grendon and Quainton.		
Wycombe, High:				
(1.) Grammar School	650†	-	Wycombe: Grammar School, &c.	
(2.) Bowden's Gift				
(3.) Littlebury's Charity				
Pelham's and other Charities	64	Wycombe: Pelham's Charity, &c.	Wycombe: Pelham's Charity, &c.	
Cambridge:				
Soham:				
Soham Moor Charity	220	Soham	Soham.	
Wimblington:				
Eaton's School	175	-	-	Wimblington.
Wisbech:				
Grammar School, Sir M. Sandy's Charity, John Crane's Charity, and W. Holme's Charity	403	Wisbech	Wisbech.	
Chester:				
Chester:				
Owen Jones' Charity	60‡	Chester	Chester.	
Cornwall:				
Landrake:				
Gefferey's Charity	120	-	-	Landrake.
Launceston:				
St. Stephen's, Horwell's Charity	176	-	Launceston, St. Stephen's.	Launceston, St. Stephen's.
Madron:				
Daniel's School	103	-	-	Madron.
Derby:				
Eckington:				
Camm's Renishaw School	127	-	-	Eckington.
Hallam, West:				
Scargill's School	280	-	-	Hallam, West.
Devon:				
Chudleigh:				
Pynsent's Grammar School	30	-	-	Chudleigh.
§Kingsbridge:				
Grammar School	528	-	-	Kingsbridge.
Tiverton:				
Charity Schools	400	-	-	Tiverton.
Dorset:				
Wimborne:				
Grammar School	906	-	-	Wimborne.
Durham:				
Brancepeth:				
Grice's Charity	28	-	-	Brancepeth.

* Besides cash accumulations amounting to 1,015*l.*

† About 200*l.* a year Non-Educational. A further sum of 2,419*l.* is accumulating for buildings.

‡ A further capital sum of 2,000*l.* in aid of the King's School. § Submitted by Endowed Schools Commissioners.

County, Parish, or Place, and Endowment.	Income.	Published by Commissioners.	Submitted to Education Department.	Approved by Her Majesty.
ESSEX:	£			
Coggeshall: (*See* Framlingham.)				
Dagenham; Ford's Charitable Bequest	278	- - -	Dagenham: Ford's Charity -	Dagenham: Ford's Charity.
S. Stone's Charity - -	6	Dagenham: Stone's Charity -	Dagenham: Stone's Charity.	
Halstead: United Charity - -	350	Halstead.		
Saffron Walden: Grammar School, Adam's Charity, and Leader's Charity.	222	Saffron Walden.		
GLOUCESTER:				
Bristol: Pile Street School - -	138	Bristol - -	Bristol.	
Fairford: 1. Free School* - -	250	- - -	- - -	Fairford.
2. Lady Mico's Charity* -				
Northleach: Grammar School - -	687	- - -	- - -	Northleach.
HERTFORD:				
Barnet, Chipping: Jesus Hospital* - -	36†	- - -	- - -	Barnet, Chipping.
Berkhamsted: Grammar School - - -	1,550	- - -	Berkhamsted.	Berkhamsted.
KENT:				
Benenden: Gibbon's School - -	158	Benenden - -	Benenden.	
Canterbury: King's School - - -	729‡	Canterbury.		
Rochester: Cathedral School - -	1,225§	- - -	Rochester: Cathedral School	Rochester: Cathedral School.
Free Mathematical School -	1,487‖	Rochester: Free Mathematical School.		
Sandwich: 1. Grammar School - -	164	- - -	Sandwich.	
2. Furnese's Charity -				
3. St. Bartholomew's Hospital				
4. Jarvis's Charity - -				
Sevenoaks: Sevenoaks Corporation, including Grammar School.	825¶	- - -	- - -	Sevenoaks: Grammar School.
Lady Boswell's School -	360	- - -	- - -	Sevenoaks: Lady Boswell's School.
Wye: Grammar School and Lady Thornhill's Charity.	256	Wye - -	Wye.	
LANCASTER:				
Bispham-in-Croston: Durning's Charity - -	187	Bispham-in-Croston	Bispham-in-Croston	
Blackburn: Grammar School - -	133	- - -	- - -	Blackburn.
Blackrod: Popplewell's Charity -	60	- - -	- - -	Blackrod.
Broughton-in-Preston: Grammar School - -	142	- - -	- - -	Broughton-in-Preston.
Goosnargh: 1. Colborne's Grammar School and Threlfall's Free School.	147	Goosnargh.		
2. J. Parkinson's School -				
Hardhorn-cum-Newton: Baine's School - -	109	Hardhorn - cum - Newton.		

* Approved after having been laid before Parliament.

† A capital sum of 1,200*l.* to be applied in adding to Grammar School buildings.

‡ Besides 3,000*l.* from Ecclesiastical Commissioners conditional on 1,000*l.* being raised in the district.

§ Includes 3 per cent. on 7,500*l.* from Ecclesiastical Commissioners.

‖ Including 350*l.* receipts from Chalk, transferred to capital account. ¶ Of which 365*l.* Non-Educational.

County, Parish, or Place, and Endowment.	Income.	Published by Commissioners.	Submitted to Education Department.	Approved by Her Majesty.
LANCASTER—*cont.*	£			
Manchester:				
Hulme Hall	*	Manchester: Hulme Hall.		
Grammar School†	2,868			Manchester: Grammar School.
Rivington:				
Shaw's Charity	165			Rivington.
Upholland:				
Grammar School	74			Upholland.
LEICESTER:				
Ashby-de-la-Zouch:				
Grammar School	1,044			Ashby-de-la-Zouch.
Kibworth Beauchamp:‡				
Grammar School	400			Kibworth Beauchamp.
Market Bosworth:				
Grammar School	1,078	Market Bosworth	Market Bosworth.	
Wymondham:				
Sir J. Sedley's Charity	157			Wymondham.
LINCOLN:				
Alford:				
Grammar School	418		Alford	Alford.
Brigg (Wrawby):				
Grammar School	585		Brigg	Brigg.
Horncastle:				
Grammar School	359	Horncastle	Horncastle.	
Humberstone:				
Humberstone's Charity New Foundation at Clee	789§		Humberstone.	
Kirton in Lindsey:				
Grammar School	135		Kirton in Lindsey.	
Lincoln:				
St. Peter at Gowts:				
Church Lands Charity	225	Lincoln	Lincoln.	
Louth:				
1. Grammar School 2. Hardie's Charity 3. Mapletoft's School 4. Wright's Butter Charity 5. Bolles' Charity	1,570		Louth.	
Moulton:				
Endowed Schools	665			Moulton.
Sedgbrook and Marston:				
Thorold's Charity	543‖			Sedgbrook and Marston.
Sleaford:				
Grammar School	214			Sleaford.
Wroot:				
Travis School	445			Wroot.
LONDON:				
Clothworkers' Company:				
Loan Charities	60¶	London: Clothworkers: Loans.	London: Clothworkers: Loans.	
MIDDLESEX:				
Hammersmith:				
Latymer's Charity	1,030		Hammersmith.	
Hampton and Hampton Wick:				
School Charities	794**	Hampton and Hampton Wick.		
St. George-in-the-East:				
Raine's Charities	1,340			St. George in the East.
Shadwell (St. Paul):				
Protestant Dissenters Charity School.	200	Shadwell	Shadwell.	
Stanwell:				
Knyvett's School	116			Stanwell.

* To be endowed out of the Hulme Charity.
† Approved after having been laid before Parliament.
‡ Approved after having been laid before Parliament.
§ Of which about 200*l.* Non-Educational.
‖ Of which 85*l.* Non-Educational.
¶ A capital sum of 2,219*l.* in aid of the North London Collegiate and Camden Schools for Girls.
** Including 36*l.* to six poor men.

County, Parish, or Place, and Endowment.	Income.	Published by Commissioners.	Submitted to Education Department.	Approved by Her Majesty.
MONMOUTH:	£			
Caerleon:				
Williams' School	1,091		Caerleon.	
Llantillio Crossenny:				
Powell's Charity	250	Llantillio Crossenny.	Llantillio Crossenny	Llantillio Crossenny.
Usk:				
R. Edward's Charity	230	Usk.		
NORFOLK:				
Feltwell:				
Sir E. Moundeford's Charity	640*	Feltwell.		
NORTHAMPTON:				
Heyford:				
Bliss's School	223			Heyford.
King's Cliffe:				
Law and Hutcheson's Charity, and Wildbore's Charity.	849†	King's Cliffe.		
Northampton:				
1. Grammar School	718‡	Northampton.		
2. Bugbrooke, or 29th of May Charity, and other Endowments				
Peterborough:				
Deacon's School	512	Peterborough.		
NORTHUMBERLAND:				
Morpeth:				
Grammar School§	615			Morpeth.
Newcastle-on-Tyne:				
Allan's Charity	713			Newcastle-on-Tyne.
Stamfordham:				
Grammar School	170	Stamfordham.		
OXFORD:				
Henley-on-Thames:				
United Schools	308			Henley-on-Thames.
RADNOR:				
Pilleth and Whitton:				
Dame A. Child's Charity	334	Pilleth and Whitton.		
Presteign:				
Grammar School	324	Presteign.		
SALOP:				
Newport:				
Grammar School	1,841	Newport.		
Worfield:				
The Brierley Charity and the Free School.	455	Worfield	Worfield.	
SOMERSET:				
Bruton:				
Sexey's Hospital	1,200‖	Bruton.		
Trent:				
Young's School	120	Trent	Trent.	
SOUTHAMPTON:				
Basingstoke:				
Aldworth's Charity or Blue Coat School.	253	Basingstoke.		
Odiham:				
Gurney's Charity	156¶	Odiham	Odiham.	
Romsey, and elsewhere:				
Nowes' Charity	816**	Romsey, and elsewhere.	Romsey, and elsewhere.	
STAFFORD:				
Brewood:				
Grammar School and Kempson's Endowment.	589			Brewood.

* Of which 150*l.* for permanent outgoings; 120*l.* for almsfolk, &c. † Includes maintenance of certain widows, clothing and apprenticing of boys, &c. ‡ Including Non-Educational objects. § Approved after having been laid before Parliament.
‖ Scheme deals with a capital sum of 40,000*l.* ¶ Includes 120*l.* a year and 3 per cent. on an additional capital sum of 1,200*l.*
** Subject to a mortgage of nearly 6,000*l.*

County, Parish, or Place, and Endowment.	Income.	Published by Commissioners.	Submitted to Education Department.	Approved by Her Majesty.
STAFFORD—*cont.*	£			
Kinver:				
Grammar School	255	Kinver	Kinver.	
Lichfield:				
Lowe's Charity	30	Lichfield: Lowe's Charity.	Lichfield: Lowe's Charity.	Lichfield: Lowe's Charity.
Wakefield's Charity	30	Lichfield: Wakefield's Charity.	Lichfield: Wakefield's Charity.	Lichfield: Wakefield's Charity.
SUFFOLK:				
Brandon:				
Grammar School	60	- - -	- - -	Brandon.
Bury St. Edmunds:				
Grammar School	841	Bury St. Edmunds: Grammar School.		
Dean Sudbury's Charity	130	Bury St. Edmunds: Dean Sudbury's Charity.		
Framlingham:				
Mills' Charity	820*	Framlingham: Mills' Charity	Framlingham: Mills' Charity.	
Sir R. Hitcham's Charity	2,050	- - -	Framlingham: Hitcham's Charity.	
Sir R. Hitcham's Almshouse and Schools.	—	- - -	Do. Almshouses and Schools.	
Debenham:				
Sir R. Hitcham's Schools	—	- - -	Debenham.	
Coggeshall (Essex):				
Sir R. Hitcham's Schools	—	- - -	Coggeshall.	
SURREY:				
Bermondsey:				
Herold's Schools	525	- - -	Bermondsey	Bermondsey.
Southwark:				
Grammar School	6,750	Southwark.		
SUSSEX:				
Crowborough:				
Sir H. Fermor's Charity	329	- - -	Crowborough	Crowborough.
Hastings:				
Parker's Charity, Saunder's Charity, and The Magdalen Charity.	474†	Hastings	Hastings.	
Midhurst:				
Hannam's School	35	- - -	- - -	Midhurst.
WARWICK:				
Bedworth:				
Chamberlaine's Charity	1,954	Bedworth.		
Birmingham:				
King Edward 6th School, and Foundations of J. Milward and Joanna Lench.	14,600	- - -	Birmingham.	
Polesworth:				
Nethersole's Charity	400	- - -	Polesworth.	
Solihull:				
Grammar School, Holbech's Charity, and H. Greswold's Charity.	1,035	Solihull.		
Sutton Coldfield:				
1. Grammar School 2. Corporation Charity	4,410	Sutton Coldfield.		
Warwick:				
A. Johnson's Charity	50	Warwick	Warwick	Warwick.
WESTMORELAND:				
Bampton:				
Grammar School and Measand School.	200	- - -	- - -	Bampton.
Barton:				
Grammar School	129	- - -	- - -	Barton.
Burton-in-Kendal:				
Grammar School, Hutton's Charity, and Parkinson's Charity.	157	Burton in Kendal	Burton in Kendal.	

* Including Almshouses and Doles. † Besides a capital sum of 6,000*l.* to be raised out of the Magdalen Charity.

County, Parish, or Place, and Endowment.	Income.	Published by Commissioners.	Submitted to Education Department.	Approved by Her Majesty.
WESTMORELAND—*cont.*	£			
Kirkby Stephen: Grammar School	78	Kirkby Stephen	Kirkby Stephen.	
Stainmore: Grammar School	81	Stainmore	Stainmore.	
Waitby and Smardale: Highmore's School	65	Waitby and Smardale.		
WILTS: Marlborough: Grammar School	263	Marlborough	Marlborough.	
WORCESTER: Chaddesley Corbett: School and Poor's Land, Thos. Pratt's Charity, and J. Pratt's Charity.	300*	Chaddesley Corbett	Chaddesley Corbett.	
Dudley: Grammar School	423	Dudley	Dudley.	
Wolverley: Seabright's Charity	678	- - -	- - -	Wolverley.
Yardley: Charity Estates	900	Yardley	Yardley.	
YORK, W. R.: Bentham: 1. Collingwood's Charity; 2. T. Baynes' Gift; 3. I. Baynes' Charity	434	- - -	- - -	Bentham: Collingwood's Charity, &c.
Longstaffe's Charity	55†	- - -	- - -	Bentham: Longstaffe's Charity.
Hatfield:‡ Grammar School	14	- - -	- - -	Hatfield.
Hipperholme: 1. Grammar School; 2. Sunderland's Charity	271§	Hipperholme.		
Horton in Ribblesdale: Grammar School	302	Horton in Ribblesdale.	Horton in Ribblesdale.	Horton in Ribblesdale.
Leeds Poor's Estate	680	Leeds	Leeds.	
Longwood: Grammar School	126	Longwood.		
Pontefract: Grammar School	50	Pontefract.		
Tadcaster: Oglethorpe's School and Hospital.	130	Tadcaster	Tadcaster.	
Thorne:‡ Brooke's Charity	146	- - -	- - -	Thorne.
YORK, E. R.: Barmby-on-the-Marsh: Blanchard's Charity	48	- - -	- - -	Barmby on the Marsh.
Beverley: Grammar School and other Charities.	494	Beverley.		
Halsham: Grammar School	80‖	- - -	Halsham.	
YORK, N. R.: Bowes and Romaldkirk: School and Hospital Charity	580¶	- - -	Bowes and Romaldkirk.	Bowes and Romaldkirk.
GENERAL: Hulme Charity	6,800	Hulme Charity.		
Meyrick Charity (Welsh Exhibition Fund).	460.	Meyrick Charity.		

* Of which about 60*l.* Non-Educational.
‡ For Travis' Charity, see Wroot, in Lincolnshire.
‖ Of which 36*l.* Non-Educational.
† Of which 20*l.* reserved for Doles.
§ Of which 58*l.* Non-Educational.
¶ Of which 116*l.* Non-Educational.

SUMMARY OF THE FOREGOING TABLE.

	Number.	Income of Endowments.
		£
Draft Schemes published by Commissioners.	76	45,920
Schemes submitted to Committee of Council on Education.	71	38,993
Schemes approved by Her Majesty:		
Submitted by Endowed Schools Commissioners. 2	61	23,802
Submitted by Charity Commissioners. 59		

TABLE II.

SUMMARY of SCHEMES established under the ENDOWED SCHOOLS ACTS.

YEAR.	Schemes approved by Her Majesty.			
	Submitted by Endowed Schools Commissioners.		Submitted by Charity Commissioners.	
	Number.	Income.	Number.	Income.
		£		£
1871 - -	24	7,164		
1872 - -	63	13,246		
1873 - -	92	57,333		
1874 - -	56	15,892		
1875 - -	76	56,534		
1876 - -	7	17,060	61	18,191
1877 - -	2	928	59	22,874
Totals -	320	168,157	120	41,065

TABLE III.

SUMMARY of SCHOOLS REGULATED by SCHEMES under the ENDOWED SCHOOLS ACTS CLASSIFIED by GRADES.*

Schemes submitted by	1st Grade.	2nd Grade.	3rd Grade.	Elementary.	Total.
Endowed Schools Commissioners - -	34	68	76	93	271
Charity Commissioners - - -	8	28	23	63	122
	42	96	99	156	393

* The distinction between the various grades of Schools depends generally upon the character of the education prescribed in the Scheme, the rate of fee payable, and the age at which the scholars leave the School,—

e.g. A School in which a complete classical or an advanced modern education is given with a minimum fee of about 10*l.* a year and a leaving age of 19, would be termed a School of the first grade.

A School of the second grade would be one in which the main object of the teaching would not be so completely classical, in which the minimum fee would be about 5*l.* a-year, the leaving age 17.

A School of the third grade would be one in which little or no classics are taught, where the minimum fee would be about 3*l.* a year and the leaving age 15.

The Elementary Schools are all constituted Public Elementary Schools within the meaning of the Elementary Education Act, 1870.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

INCOME TAX (ANNUAL VALUES).

RETURN to an Order of the Honourable The House of Commons, dated 24 January 1878;—*for*,

RETURN "showing, under various Heads, the ANNUAL VALUES Assessed to the INCOME TAX in the Year 1876-7, and the AMOUNT chargeable at Threepence in the Pound (in continuation of Parliamentary Paper, No. 477, of Session 1865)."

	Schedule.	Annual Values chargeable.	Amount of Tax chargeable at Threepence (*Except under Schedule B.*)
		£.	£.
Lands, Tithes, and Manors	A.	65,112,938	813,892
Fines	„	104,513	1,306
Houses	„	95,875,476	1,198,423
Farms, &c.	B.	36,170,472	219,880 *
Public Dividends	C.	39,968,177	495,352
Fisheries †	D.	190,822	2,384
Mines and Ironworks †	„	16,878,859	210,980
Quarries †	„	1,064,582	13,306
Gas, Railways, Canal and other Property †	„	50,637,462	632,180
Public Companies	„	23,655,407	295,660
Trades and Professions	„	136,359,320	1,704,453
Offices, Salaries, and Superannuations	E.	24,281,820	303,442
Hereditary Pensions (Consolidated Fund)	„	44,998	562
TOTALS	£.	490,344,906	5,891,829

* This amount represents the duty charged under Schedule B. at the undermentioned rates, viz.:—.

In respect of the occupation of Lands, Tenements, &c. { England - - 1½ *d.* in the £. / Scotland and Ireland, 1¼ *d.* „ „

Nurseries and Market Gardens - - - - - - - - 3 *d.* „

Composition for Tithes and Tithes Leased - - - - - - - ¾ *d.* „

† Transferred from Schedule A. to Schedule D. by Act 29 Vict. c. 36, s. 8.

Inland Revenue Office,
4 June 1878.

Charles Turner,
Acct and Comptr General.

INCOME TAX (ANNUAL VALUES).

RETURN showing, under various Heads, the ANNUAL VALUES Assessed to the INCOME TAX in the Year 1876–7, and the AMOUNT chargeable at Threepence in the Pound (in continuation of Parliamentary Paper, No. 477, of Session 1865).

(*Mr. Hubbard.*)

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1878.

COMMERCIAL. No. 13 (1878).

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CORRESPONDENCE

RESPECTING THE

AFFAIRS OF THE SUEZ CANAL.

Presented to both Houses of Parliament by Command of Her Majesty.
1878.

LONDON:
PRINTED BY HARRISON AND SONS.

[C.—2012.] *Price* 4½*d.*

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Correspondence respecting the Affairs of the Suez Canal.

(In continuation of "Commercial No. , 1876.")

No. 1.

The British Suez Canal Directors to the Earl of Derby.—(*Received May* 16.)

My Lord, *London, May* 15, 1877.

WE have the honour to acknowledge the receipt of your Lordship's despatch of the 23rd ultimo, and to state that at the last meeting of the Council of the Suez Canal Directors we put in the reply to the Company approved in the above despatch, that it was well received by the Council, and that, therefore, the arrangement of the voting question may now be considered as satisfactorily settled.

The next general meeting of the shareholders of the Suez Canal Company is fixed for Wednesday, the 6th of June, at 1 o'clock.

We have the honour to suggest, for the consideration of Her Majesty's Government, whether upon this, the first occasion of a general meeting since the conclusion of the agreement with the Company on the subject of the right of Her Majesty's Government to be represented and to vote in virtue of the shares held by them, it will not be desirable that a Special Representative of the Government shall attend the meeting in order formally to assert and exercise that right.

In the event of this suggestion meeting with approval, it will be necessary that, as required by Article 3 of the Agreement, there shall be furnished to us, for delivery to the Company not later than the 1st of June, a written declaration signed by the Secretary of the Treasury certifying that all the shares ceded to the British Government by His Highness the Khedive, whether paid off or not paid off, have continued and continue to be the property of Her Majesty's Government.

We beg leave further to observe that it would appear inadvisable that the duty of representing Her Majesty's Government should be entrusted to one of the British Administrators, inasmuch as each of us already possess four votes in virtue of our qualifying shares, and the statutes forbid the exercise of more than ten votes by any one person, whether voting on his own behalf or as proxy. The effect of entrusting the proxy to one of the Directors would be, therefore, that a portion of the votes would be lost.

In these circumstances we venture to recommend that one of the members of Her Majesty's Embassy be empowered to act for Her Majesty's Government on the occasion in question.

The Council of Administration have intimated that such person, formally accredited and empowered, would be accepted by the Company as the Representative of Her Majesty's Government without the necessity for his qualifying as a shareholder in his individual capacity.

With reference, however, to the last-mentioned point, we think it right to call attention to Article 48 of the Statutes, which enacts that "no one can represent a shareholder at the meeting who is not himself a member of that meeting," *i.e.*, the proprietor of at least twenty-five shares. Although after the expression of opinion of the Council which we have alluded to we do not anticipate that the vote of the Representative of Her

Majesty's Government under the proposed conditions is ever likely to be challenged; still it seems important that all the proceedings taken on behalf of Her Majesty's Government in this matter should be entirely within the statutory regulations of the Company.

We therefore submit for consideration whether, in the judgment of Her Majesty's Government, the Article of the Statute above quoted is applicable to the present case, or whether the Representative of the Government may properly be absolved from the necessity of obtaining a personal qualification.

We have, &c.
(Signed) J. STOKES.
C. RIVERS WILSON.
EDWD. J. STANDEN.

No. 2.

Lord Tenterden to the British Suez Canal Directors.

Gentlemen, *Foreign Office, June* 2, 1877.

WITH reference to your letters of the 15th and 16th ultimo, suggesting that Her Majesty's Government should be represented at the approaching General Meeting of the Suez Canal Company, I am directed by the Earl of Derby to state to you that, after communication with the Lords of the Treasury, he has decided to appoint Mr. Adams, First Secretary to Her Majesty's Embassy at Paris, to act as the Representative of Her Majesty's Government on the occasion in question.

The certificate required under the Agreement come to with the Company as to the possession of the 176,602 shares by Her Majesty's Government having been deposited with the Company, it will only be necessary that you should notify Mr. Adams' appointment to the Company, and should obtain for him the necessary card of admission to the meeting.

Mr. Adams has been instructed to confer with you in regard to any matters that may come under discussion at the meeting; and, in the event of any formal vote being taken, to act in concurrence with you.

I am, &c.
(Signed) TENTERDEN.

No. 3.

The Earl of Derby to Mr. Adams.

Sir, *Foreign Office, June* 2, 1877.

HER Majesty's Government have decided that it is desirable that they should be represented at the General Meeting of the Suez Canal Company, to be held in Paris on the 6th instant, in respect of the shares held by them in the undertaking, and they have selected you to act as their Representative.

I have accordingly to instruct you to attend the meeting, and to take such part in the deliberations and, if necessary, in the voting as the circumstances of the meeting may require.

I am, &c.
(Signed) DERBY.

No. 4.

The British Suez Canal Directors to the Earl of Derby.—(Received June 11.)

My Lord, *Paris, June* 6, 1877.

WE have the honour to acknowledge the receipt of your Lordship's despatch of the 2nd instant, and to report to your Lordship that we have this day attended the annual general meeting of shareholders of the Suez Canal Company.

Mr. Adams, Secretary to Her Majesty's Embassy at Paris, attended the meeting, representing Her Majesty's Government as holder of 176,602 shares.

Every resolution submitted to the meeting was carried unanimously. M. de Lesseps'

Report, which contained, *inter alia*, the arrangement made with Her Majesty's Government on the voting and redemption of capital question, was adopted without any observations; the paragraph relating to the decision taken by Her Majesty's Government on the maintenance of free access to and from the Canal during the present war was warmly applauded.

We have, &c.

(Signed) J. STOKES,
C. RIVERS WILSON.
EDWD. J. STANDEN.

No. 5.

Mr. Rivers Wilson to the Earl of Derby.—(Received June 11.)

My Lord, *London, June 8, 1877.*

I HAVE the honour to report that at the meeting of the Council of Administration of the Suez Canal Company, on the 5th instant, my name was drawn by lot as one of the three retiring Directors for the present year, in pursuance of Article 26 of the Statutes.

At the general meeting on the following day I was proposed for re-election, and was re-elected accordingly, together with the Comte de Gontaut-Biron and M. Peghoux, the two Directors whose names had been drawn with mine for retirement.

The nominations thus made are for eight years, at the end of which period members, under the Article above quoted, again retire by rotation, but are re-eligible.

I have, &c.

(Signed) C. RIVERS WILSON.

No. 6.

Mr. Lingen to Lord Tenterden.—(Received June 12.)

My Lord, *Treasury Chambers, June 11, 1877.*

I AM directed by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for the information of the Secretary of State, with reference to recent correspondence on the subject of the shares in the Suez Canal Company, the property of Her Majesty's Government, which have been drawn for repayment, copy of a letter from Mr. Rivers Wilson, notifying the transfer which had been made to Mr. Standen, one of the British Directorate, of the 491 shares in the Company which have been drawn for repayment, and the investment of the proceeds thereof in the purchase of Consols to the amount of 10,332*l.* 19*s.* 4*d.*, and also copy of the letter which my Lords have caused to be addressed in reply to that communication.

I am, &c.

(Signed) R. R. W. LINGEN.

Inclosure 1 in No. 6.

Mr. Rivers Wilson to Mr. Lingen.

Sir, *National Debt Office, May 24, 1877.*

REFERRING to Mr. Lingen's letter of 15th instant, I have the honour to state, for the information of the Lords Commissioners of Her Majesty's Treasury, that the 491 drawn shares of the Suez Canal Company were duly handed over to the Company by Mr. Standen, who received in exchange and transmitted to this office—

1. A cheque of the Crédit Lyonnais in Paris on their London branch for the capital amount of the shares, viz., 245,500 fr.;

2. Two deposit certificates, numbered 13 and 14 (one in respect of each drawing that has been held up to the present date) entitling Her Majesty's Government to 491 "actions de jouissance," to have effect from July 1, 1894.

The draft was paid to a special account opened in the names of the Commissioners for the Reduction of the National Debt "on account of Suez Canal drawn shares," and the amount realized in English sterling at the exchange of 25 fr. 17½ c., viz., 9,751*l.* 14*s.* 9*d.*, has been invested in the purchase of 10,332*l.* 19*s.* 4*d.* 3 per cent. Consols,

in pursuance of the arrangement entered into with the Company by the British Directors on behalf of Her Majesty's Government.

The two certificates are forwarded herewith for deposit, should their Lordships think fit, with the other Suez Canal securities at the Bank of England.

An account of the investment, together with the stock receipt, is also inclosed herewith.

I beg leave to request that you will point out to their Lordships that, according to the terms of the agreement set forth in the correspondence which was forwarded to the Treasury in Lord Tenterden's letter of the 20th ultimo, it is necessary that there should be now delivered to the Company by Her Majesty's Government a formal acknowledgment of the receipt of the capital of the drawn shares, and of its investment in Consols, accompanied by the stock receipt and by an undertaking that the dividends on the stock will be paid as they become due to the Company. I would venture to suggest that this document should be under the hand of the Secretary of the Treasury, as in the certificate which is to be given for validating the right of vote of the Representative of Her Majesty's Government at the general meetings, and should be forwarded to the British Directors for delivery to the Company.

As regards the payment of the dividends it will probably be desirable that the Commissioners for the Reduction of the National Debt should give a general power of attorney to some representative of the Company, and upon this point the British Directors will arrange with the Conseil d'Administration upon the occasion of their next visit to Paris.

I have, &c.

(Signed) C. RIVERS WILSON.

Inclosure 2 in No. 6.

Mr. Lingen to Mr. Rivers Wilson.

Sir, *Treasury Chambers, May 28, 1877.*

IN reply to your letter of the 24th instant, upon the subject of 491 drawn shares of the Suez Canal Company handed over to the Company by Mr. Standen, who received in exchange for them a cheque for 245,500 fr., since realized in 9,751*l.* 14*s.* 9*d.* English sterling, and invested in the purchase of 10,332*l.* 19*s.* 4*d.* Consols, I am directed by the Lords Commissioners of Her Majesty's Treasury to forward herewith a certificate under the hand of their Lordship's Permanent Secretary to the effect advised in your letter under reply, accompanied by the stock receipt in original.

The two deposit certificates numbered 13 and 14 (one in respect of each drawing that has been held up to the present date) entitling Her Majesty's Government to 491 "actions de jouissance," to have effect from July 1, 1894, have been received, and will be lodged as you suggest at the Bank of England with the other Suez Canal securities.

I am, &c.

(Signed) R. R. W. LINGEN.

No. 7.

The British Suez Canal Directors to the Earl of Derby.—(Received June 14.)

My Lord, *London, June 13, 1877.*

WE have the honour to forward herewith three copies of the bulletin of the Suez Canal Company, containing the text of the report of M. Ferdinand de Lesseps, presented to the general meeting of the shareholders on the 6th instant, also an account of the proceedings of the general meeting and a financial statement of the operations of the Company for the year ended 31st December, 1876.

We have, &c.

(Signed) C. RIVERS WILSON.
J. STOKES.

Inclosure in No. 7.

"*Le Canal de Suez*," *No.* 197, *June* 12, 1877.

ASSEMBLÉE GÉNÉRALE DES ACTIONNAIRES.

22e Réunion.—6 Juin, 1877.

Rapport de M. Ferdinand de Lesseps, au nom du Conseil d'Administration.

Situation Financière.—Exercice 1876.

LES résultats financiers de l'exercice 1876 ont déjà été portés à votre connaissance, tant par l'envoi anticipé des comptes, que par les publications de la Compagnie relatives aux distributions de bénéfices à faire en Juillet prochain, sous la réserve de votre approbation.

Nous résumons ces résultats :

	Fr.	c.
La recette propre à l'exercice 1876 s'est élevée à	31,143,762	44
Elle avait été en 1875 de	30,827,194	72
Augmentation nette	316,567	72

Mais il est à remarquer qu'en isolant chaque nature du recette, le transit, principale branche de nos revenus, présente une augmentation de 1,030,995 fr. 20 c., constatant un accroissement continu dans l'emploi du Canal Maritime.

Les diminutions portent sur les produits des placements de fonds devenus difficiles et sur les recettes du domaine commun.

	Fr.	c.
La dépense propre à l'exercice 1876 a été de	17,244,658	12
Celle de 1875 s'élevait à	17,798,408	09
Economie	553,749	97
En définitive, de la comparaison des recettes et des dépenses obligatoires de l'exercice écoulé, augmentées de quelques opérations régularisées sur les exercices clos, il est résulté un excédant de	13,902,655	01
L'intérêt des titres de coupons consolidés, l'intérêt des actions et l'amortissement du capital social ont absorbé	11,794,325	00
Solde disponible	2,108,330	01
De ce chiffre il y a lieu de déduire comme prélèvement statutaire de 5 pour cent pour la réserve, la somme de	105,416	50
Excédant ou bénéfice net	2,002,913	51

dont nous vous proposons d'autoriser la distribution en conformité de l'Article 63 des Statuts, savoir :

		Fr.	c.
71	pour cent aux actionnaires	1,422,068	59
15	„ au Gouvernement Egyptien	300,437	03
10	„ aux fondateurs	200,291	35
2	„ au Conseil d'Administration	40,058	27
2	„ aux employés..	40,058	27
	Total égal	2,002,913	51

Nous rappelons que les 2 pour cent du Conseil d'Administration ne sont pas destinés à être répartis, mais qu'ils viendront, au profit de l'exercice 1877, en déduction de l'allocation annuelle votée par l'assemblée de 1860.

Compte de Premier Etablissement.—Nous avons poursuivi, en 1876, nos travaux d'amélioration ou d'augmentation du Canal Maritime et, de ce chef, une somme de 643,477 fr. 88 c. a été mise à la charge du compte de premier établissement.

Elle se répartit en dépenses d'empierrements neufs des berges, d'élargissement du chenal entre les jetées de Port Saïd, d'agrandissement du garage du kilomètre 152 et d'installation d'un brise-lames à Ismaïlia.

Travaux, Entretien, Améliorations

Le Canal est sur toute la ligne en parfait état de navigabilité.

Le curage, à la profondeur règlementaire, de la cuvette des gares, des bassins de Port

Saïd et du chenal d'entrée a été exécuté dans les conditions ordinaires par les dragues et a produit les cubes suivants en 1876 :

Section de Port Saïd	603,000 m. c.
„ d'Ismaïlia..	204,000
„ de Suez	142,000
Total pour le Canal	949,000
Pour les bassins de Port Saïd	62,000
Chenal d'entrée	302,000
En dehors des jetées	184,000
Total pour l'avant-port	486,000

L'état de la rade de Port Saïd est toujours satisfaisant et nous n'avons pas eu besoin, depuis trois ans, d'augmenter les travaux de la grande jetée ; les blocs maçonnés placés sur son couronnement en 1874 et 1875, résistent bien à la mer.

Le déblai à sec sur les banquettes du Canal et des rigoles de service, a donné les cubes suivants :

Section de Port Saïd	32,000 m. c.
„ d'Ismaïlia..	57,000
„ de Suez	4,600
Total	93,600

Nous avons dû condamner, l'année dernière, un certain nombre d'engins dont la remise en état ne pouvait plus être faite avec avantage. Nous les avons remplacés par trois bateaux-porteurs neufs, dont le prix d'acquisition a été prélevé sur le fonds annuellement affecté à cet emploi.

Suivant les termes de la Convention du 21 Février, 1876, nous devons exécuter, chaque année, les travaux d'amélioration du Canal les plus propres à augmenter les facilités et la sécurité de la navigation.

Parmi ces améliorations figurent, pour le présent exercice, des agrandissements du bassin Ismaïl à Port Saïd et de divers garages, des élargissements de courbes et des travaux d'enrochement des berges du Canal, dont l'exécution est rendue plus urgente par l'accroissement du trafic et l'avantage pour le commerce de conserver aux navires qui transitent une allure rapide.

Nous avions déjà exécuté, pendant le cours de l'année écoulée, l'agrandissement de la gare double du kil. 152, nous avons commencé le creusement de la nouvelle gare du Déversoir au kil. 98. Ce travail sera bientôt achevé ; immédiatement après cette opération, la courbe du lac Timsah sera rectifiée.

Exploitation.

Service du Transit.—Pendant l'année 1876, 1,457 navires, jaugeant ensemble 3,072,107 tonnes de capacité réelle, ont passé le Canal.

Depuis l'inauguration, le mouvement maritime d'une mer à l'autre donne les chiffres suivants :

		Tonnes.
1870..	486 navires de	435,911
1871..	765 „	761,467
1872..	1,082 „	1,439,169
1873..	1,173 „	2,085,072
1874..	1,264 „	2,423,672
1875..	1,494 „	2,940,708
1876..	1,457 „	3,072,107

L'accroissement du transmit n'a pas d'influence sur la durée du passage du Canal ; la moyenne de la marche effective a été, en 1876, de 17 heures, et en ajoutant les arrêts de nuit ou de jour, de 39 heures.

L'expérience acquise par nos pilotes et les capitaines de navires et les améliorations de la cuvette du Canal ont supprimé les arrêts dus à d'autres causes que celles de force majeure telles que tempêtes, avaries de machine ou de gouvernail.

Les recettes de la navigation ont été

	Fr.
En 1870 de	5,159,327 22
1871	8,993,732 87
1872	16,407,591 42
1873	22,897,319 18
1874	24,859,383 00
1875	28,886,302 27
1876	29,974,998 74

Parmi les navires qui ont transité avec un tirant d'eau remarquable, nous citerons le "Hankow" et la "Seine," qui ont passé d'une mer à l'autre avec 7 mètres 47 centimètres de tirant d'eau, et le vapeur "Hibernia" qui a transité avec un enfoncement de 7 mètres 49 centimètres.

La moyenne du tonnage, par navire, qui était en 1873 de 1,777 tonnes, en 1874 de 1917 tonnes, en 1875 de 1,968 tonnes, s'est élevée en 1876 à 2,108 tonnes $\frac{515}{1000}$.

C'est en Février dernier que le vapeur Anglais "Hooper," le plus grand des navires qui aient encore passé le Canal de Suez, en a effectué le transit. Ce steamer a 4,987 tonnes de "gross tonnage" ou capacité réelle.

Les comparaisons pratiques que nous ne cessons de faire entre le tonnage officiel net des navires et leur capacité réelle de transport constatée par le chargement effectif porté, confirment toujours ce fait que les navires à vapeur affectés au trafic par le Canal Maritime portent réellement des chargements supérieurs au tonnage officiel inscrit sur leurs papiers de bord.

La valeur d'une tonne de marchandises étant en moyenne de 1,000 francs, la taxe de 10 francs par tonne de capacité inscrite dans l'acte de concession équivaut, par conséquent, à 1 pour cent de la valeur transportée, et comme c'est la marchandise qui paye le fret, il s'en suit que les plaintes d'armateurs dont on nous entretient quelquefois, sont dénuées de toute raison, surtout si l'on considère que depuis l'ouverture du Canal, l'assurance de la marchandise coûte 1 pour cent de moins qu'auparavant, ce qui fait, en définitive, que tout est bénéfice par le passage du Canal en le comparant avec celui du Cap.

D'ailleurs, le commerce le comprend si bien, que la houille, le sel et les produits les moins riches de l'Europe et les denrées les plus encombrantes de l'Asie, telles que les céréales, le riz, les graines oléagineuses, les cotons, etc., prennent déjà en grande partie la nouvelle voie. Nous avons constaté le transit d'un chargement de 1,100 tonnes de pétrole provenant de New York à destination de Batavia.

132 navires ont passé le Canal pour la première fois en 1876.

Voici la répartition des 1,457 navires transités, dont 759 entrés par la Méditerranée et 698 par la Mer Rouge :—

1,042 steamers de commerce.
315 postaux.
37 transports de guerre.
11 yachts.
12 avisos.
10 corvettes.
4 frégates.
2 cuirassés.
5 voiliers.
3 cannonières.
5 dragues marines.
6 porteurs de vase.
3 remorqueurs.
2 chalands-à-vapeur.

Répartition des passagers :—

Militaires Anglais	20,469
„ Hollandais	5,991
„ Français	5,876
„ Ottomans	4,763
„ Espagnols	2,921
„ Portugais	400
Pélerins Musulmans	8,362
Passagers civils	20,832
Total	69,614

La Société du Lloyd de Rotterdam a ajouté un navire à sa flotte. La Hall Line a mis deux vapeurs nouveaux sur sa ligne de Liverpool à Bombay ; la Compagnie Allemande a augmenté d'un steamer sa ligne de Hambourg aux ports Chinois ; deux grands steamers ont accru la flotte de la Compagnie Anglaise Péninsulaire et Orientale. L'Ocean Steamship Company a transformé son service bi-mensuel en un service tri-mensuel vers la Chine ; la

City Line a augmenté de deux vapeurs sa ligne de Liverpool à Calcutta; deux vapeurs nouveaux ont également augmenté le service de la Compagnie Espagnole entre Liverpool et Manille; l'Anchor Line a régulièrement organisé un service entre Liverpool et Bombay, au moyen de ses steamers qui desservaient les lignes de l'Atlantique et de la Méditerranée; la Compagnie Néerlandaise Stoomvaart Nederland a mis un vapeur de plus sur sa ligne de Nieuwe-Diep-Batavia. La Compagnie Italienne Rubattino, enfin, a repris le matériel du Lloyd Italien et réorganisé sa ligne de Gênes à Calcutta.

Dans les premiers mois de l'année actuelle, les lignes Anglaises Glen et Castle, la Compagnie Espagnole et la Stoomvaart Nederland ont encore augmenté leur flotte. La Compagnie Rubattino a annoncé la prochaine exploitation d'une ligne trimestrielle entre Gênes, Singapore et Java.

Le mouvement de Port Saïd, indépendamment des navires qui ont transité d'une mer à l'autre, a donné, en 1876, 1820 navires, dont 1768 vapeurs et 52 voiliers.

Service du Domaine.—Le service du domaine comprend le domaine particulier de la compagnie et l'administration du domaine commun, c'est-à-dire l'appropriation et la vente des terrains à bâtir pour tous les établissements compris dans la zone du Canal Maritime, avec le service fort important de la voirie publique. Les recettes et les dépenses de ce service se partagent, par moitié, entre le Gouvernement et la Compagnie, sauf les dépenses de la voirie et de la salubrité publique que le Khédive a spontanément proposé de faire solder exclusivement sur les produits revenant au Gouvernement.

Les recettes totales du domaine commun pendant l'exercice 1876 ont atteint le chiffre de 150,251 fr. 22 c.

La surface des terrains vendus a été de 6,263·20 m. Le prix moyen du mètre carré a été de 46 fr. 66 c. pour Port Saïd et de 8 fr. 8 c. pour Ismaïlia.

Les recettes du domaine particulier se sont élevées, pour 1876, à la somme de 315,963 fr. 55 c.

Dans notre dernier voyage à Port Saïd, nous avons constaté qu'il y avait lieu de faire une assez forte dépense, aux frais du domaine commun, pour assainir la ville en remblayant au-dessus du niveau de la mer, la plus grande partie des terrains situés à l'ouest, entre l'hôpital et le village Arabe, et au sud, jusqu'à l'usine à gaz.

Tous ces terrains en contre-bas de la mer ou asséchés à la suite du retrait des eaux du Lac Menzaleh, étaient regardés comme très-menaçants pour la santé publique. Le Khédive et le Conseil d'Administration ont autorisé la dépense immédiate évaluée à 141,000 francs.

Le Khédive a, en outre, chargé l'administrateur du domaine commun d'assurer le bon fonctionnement du service de la voirie et de la salubrité publique.

Service des Eaux.—Les machines d'Ismaïlia ont refoulé pendant les douze mois de l'exercice 1876, 323,671 mètres cubes d'eau à Port Saïd ou dans les garages compris sur la ligne du Canal Maritime au nord d'Ismaïlia.

La consommation d'eau douce est d'environ 26 pour cent plus élevée en été qu'en hiver.

Le total des recettes effectives a été, en 1876, de 96,558 fr. 45 c., soit 6,070 fr. 96 c. de plus qu'en 1875.

Nous avons acheté, aux enchères publiques, au prix de 235,000 fr., l'usine de la distribution d'eau à Suez, très-bel établissement qui avait coûté plus d'un million, de telle sorte que désormais, sur toute la ligne du Canal Maritime de Port Saïd à Suez, l'alimentation d'eau douce de notre personnel et de nos machines nous appartient. Nous avons avec le Gouvernement Egyptien une convention pour alimenter sa gare de chemin de fer à Suez, ses docks et ses établissements du port.

A quelque point de vue que l'on se place, l'acquisition de l'usine et de la distribution des eaux de Suez est une bonne opération. Les revenus que donnait l'Ancienne Société étaient supérieurs de 10 pour cent à notre prix d'acquisition nets de tous frais. Ces revenus ne peuvent qu'augmenter dans l'avenir.

La Compagnie jouit d'ailleurs, la première, du bénéfice de cette exploitation, car elle fournit à ses établissements du terre-plein de Suez de l'eau douce en abondance, ce qui augmente le bien-être des employés, en permettant de créer des jardins et de planter des avenues sur un terrain brûlé par le soleil, et qui était privé naturellement de toute espèce de végétation.

Le prix d'achat de l'usine de Suez a été porté à un compte spécial qui devra s'amortir au moyen d'un prélèvement annuel de 10 pour cent. Les recettes normales de l'usine assurent ce service d'amortissement.

Situation Générale.

En exécution de la Convention du 21 Février, 1876, que vous avez approuvée le 10 Janvier dernier, nous avions annoncé que la surtaxe spéciale de transit serait diminuée de 50 c. le 15 Avril, si l'instrument final nous était dûment notifié avant le 1er Avril. Cette notification nous ayant été faite en temps utile par la Porte Ottomane, la diminution de 50 c. a été exactement appliquée le 15 Avril.

Les recettes du service du transit pendant les cinq premiers mois de cette année témoignent du développement constant de notre exploitation. Ces recettes se sont élevées à la somme de 15,300,000 fr., supérieure de 1,292,000 fr. au produit des cinq premiers mois de l'an dernier, soit 9·28 pour cent d'augmentation.

La guerre n'a donc pas affecté notre exploitation. L'importance des intérêts qui dépendent du libre passage du Canal des deux mers est la principale de vos garanties.

A l'époque où le Gouvernement Egyptien délégua, pour vingt-cinq ans, tous les revenus des 176,602 actions qu'il possédait, le Conseil Judiciaire de notre Compagnie émit des doutes sur le droit du Gouvernement Egyptien d'assister, avec des actions dépourvues de leurs coupons, aux assemblées.

Aux termes des statuts, une assemblée extraordinaire n'étant légalement constituée qu'à la condition de représenter une quantité importante d'actions, la non-représentation des 176,602 actions du Gouvernement Egyptien était de nature à vous créer quelque embarras.

Le Conseil vous proposa, en conséquence, de modifier les statuts en ce sens que le nombre des actions dont la présence est obligatoire pour constituer une assemblée extraordinaire, aurait été diminué.

Son Altesse le Khédive ne donna pas son approbation, et fit connaître que, d'après son opinion, la délégation qu'il avait faite, pour vingt-cinq années, des revenus et produits de ses 176,602 actions, n'avait porté aucune atteinte à son droit d'assister aux assemblées générales et d'y voter avec un maximum de dix voix.

La délibération de l'Assemblée Générale du 24 Août, 1871, se trouvant ainsi sans objet, les actions de Son Altesse le Khédive furent admises, tous droits réservés, à la participation et aux votes des Assemblées Générales, avec un maximum de dix voix.

Un arrangement semblable est intervenu entre le Gouvernement de Sa Majesté Britannique et votre Conseil d'Administration.

En voici les termes :—

"1. Comme propriétaire et possesseur des 176,602 actions que lui a cédées son Altesse le Khédive, amorties ou non-amorties, le Gouvernement de Sa Majesté Britannique jouira du droit de délibérer et, pour les dix voix statutaires, de voter dans les assemblées générales des actionnaires de la Compagnie de Suez, quelque soit l'objet de la délibération et du vote.

"2. La raison d'être de la stipulation précédente cessera naturellement le 1er Juillet, 1894, et cette stipulation deviendra nulle si, avant le 1er Juillet, 1894, le Gouvernement de Sa Majesté, usant du droit qui lui appartient de disposer des dites actions, cesse d'être propriétaire et possesseur d'un nombre quelconque des 176,602 actions, et, dans ce cas, les parties seront remises au même et semblable état où elles se trouvent actuellement, comme si le présent accord n'avait pas existé, tous leurs droits respectifs leur demeurant réservés pour ce cas, sans que les dits droits puissent être compromis ou perdus soit par le présent accord, soit par aucun fait qui en serait la conséquence, soit par aucune prescription de temps.

"3. Le droit de délibération et de vote, tel que ce droit est défini aux présentes, sera exercé par le Gouvernement de Sa Majesté Britannique en ce qui concerne les justifications matérielles prescrites par les statuts pour l'admission des actions aux assemblées générales, au moyen d'une déclaration écrite, signée par le Secrétaire de la Trésorerie de Sa Majesté, constatant que toutes les 176,602 actions cédées au Gouvernement Britannique par son Altesse le Khédive, amorties ou non amorties, ont continué et continuent à être la propriété et à se trouver en la possession du Gouvernement de Sa Majesté. Le dépôt de ce document devra être fait à la Compagnie dans les délais statutaires auxquels sont soumis les autres actionnaires, c'est-à-dire cinq jours au moins avant la réunion de l'assemblée."

Nous avons également négocié avec le Gouvernement de Sa Majesté Britannique au sujet de d'emploi du capital d'amortissement des actions Anglaises désignées par le sort. La jouissance de ce capital d'amortissement devant, suivant l'opinion de la Compagnie, bénéficier aux délégataires jusqu'au moment où, la période de délégation étant éteinte, le propriétaire de l'action dont les revenus avaient été délégués rentrera dans la pleine possession de son titre, il a été convenu que le Gouvernement de Sa Majesté emploiera

spécialement en consolidés le capital d'amortissement à lui remis, et que le revenu que produira ce placement sera versé dans les caisses de la Compagnie au bénéfice des délégataires.

Cet arrangement amiable a pleinement réservé la question de droit à propos de laquelle des doutes avaient été émis. Mais en vue d'un débat possible où la question de droit recevrait une solution, il a été convenu que, quelle que puisse être l'issue du débat juridique réservé comme facultatif, les sommes versées à la Compagnie par le Gouvernement de Sa Majesté Britannique, en exécution de l'accord amiable intervenu, demeureront acquises aux délégataires.

Nous vous avons déjà signalé l'importance qu'aura pour nous, l'achèvement du Canal Ismaïliéh, reliant le Caire au Canal Maritime. La mise en exploitation de cette grande voie nouvelle de navigation intérieure et d'irrigation doit donner aux terrains du domaine commun, à Ismaïlia, une valeur plus grande, et elle sera en outre pour le Canal Maritime un nouvel élément de trafic.

Pour assurer dans le plus bref délai possible l'achèvement du Canal Ismaïliéh nous n'avons pas hésité à fournir à l'entrepreneur des travaux, avec toutes les garanties voulues, les moyens de terminer sa tâche. Nous avons donc utilisé vos réserves en avançant à l'entrepreneur du Canal Ismaïliéh, contre une remise de titres, une somme de 2,213,000 fr.

Au moment où des arrangements de diverses natures régularisaient la situation financière du Gouvernement Egyptien, nous avons négocié, d'accord avec l'entrepreneur des travaux du Canal Ismaïliéh, et avec le concours des Commissaires Européens, une convention qui assure à l'entrepreneur le payement de ses travaux et à la Compagnie le remboursement de ses avances.

Il résulte de cette convention que le produit net des recettes à provenir du Canal Ismaïliéh sera spécialement et exclusivement affecté au payement de la dette contractée par le Gouvernement Egyptien pour l'exécution du Canal reliant le Caire au Lac Timsah. Il a été en outre stipulé que, dans le cas où, après six années d'exploitation, le produit net des recettes n'aurait pas suffi au payement total, en principal et en intérêts, des travaux de l'entrepreneur, la dette deviendrait immédiatement exigible.

Une dépêche télégraphique nous annonce qu'aujourd'hui même l'eau du Nil a été introduite dans les deux derniers biefs du Canal Ismaïliéh, et que la communication navigable est désormais établie entre le Caire et notre port intérieur du Canal Maritime au Lac Timsah.

Dans le courant du mois dernier, plusieurs actionnaires nous ont manifesté des inquiétudes au sujet de dangers que pourrait courir la liberté de navigation du Canal au milieu des événements de guerre dont l'Orient est le théâtre. Nous nous sommes alors empressé d'aller nous entendre, à Londres, avec les Ministres de Sa Majesté Britannique sur une question aussi importante pour la Compagnie.

Notre proposition de maintenir, par un accord général, la liberté complète de navigation qui avait existé dans le Canal de Suez depuis son ouverture en 1869, a été prise en sérieuse considération et, à notre retour à Paris, Lord Derby a bien voulu nous faire connaître la déclaration suivante :

"Toute tentative de bloquer ou entraver par un moyen quelconque le Canal ou ses approches serait envisagée, par le Gouvernement de Sa Majesté, comme une menace pour l'Inde et comme un grave dommage pour le commerce du monde. D'après ces deux considérations, tout acte semblable que le Gouvernement de Sa Majesté espère et croit qu'aucun des deux belligérants ne voudrait commettre, serait incompatible avec le maintien, par le Gouvernement de Sa Majesté, d'une attitude de neutralité passive."

Lord Lyons, en nous faisant cette communication, a ajouté que le Gouvernement de la Reine serait heureux de voir qu'il est d'accord avec le Cabinet Français dans tout ce qui concerne le Canal.

Le Canal des deux mers, créé par vos capitaux, soutenu par votre union et par votre persévérance, restera en dehors des complications politiques parce qu'il est désormais indispensable aux relations de tous les peuples.

L'Assemblée vote sur les questions suivantes portées à l'ordre du jour :

Assistent à la séance, 222 actionnaires représentant 211,229 actions.

(A.)—*Vote sur les conclusions du Rapport du Président.*

L'Assemblée, après avoir entendu la lecture du rapport faite par M. Ferd. de Lesseps, Président-Directeur de la Compagnie, au nom du Conseil d'Administration, approuve ce rapport.

(B.)—*Vote sur la fixation du Dividende, en Application des Articles 56 et 63 des Statuts.*

L'Assemblée, conformément aux propositions du Conseil d'Administration, fixe le dividende de l'exercice 1876 à 3 fr. 55½ c. par action.

(C.)—*Vote sur les conclusions du Rapport de la Commission de vérification des Comptes de l'Exercice* 1875.

L'Assemblée, conformément aux propositions du Conseil d'Administration et aux conclusions du rapport de la Commission de Vérification nommée par l'Assemblée Générale des actionnaires dans sa réunion du 27 Juin, 1876, pour l'examen des comptes, approuve les comptes des recettes et des dépenses présentés par l'administration de la Compagnie pour l'exercice 1875.

(D.)—*Application de l'Article* 26 *des Statuts.*

L'Assemblée nomme membres du Conseil d'Administration :—

MM. le Comte A. de Gontaut.
Peghoux.
Rivers Wilson.
(Administrateurs sortants.)

(E.)—*Nomination d'une Commission de vérification pour l'examen des Comptes de* 1876.

L'Assemblée décide :—

Les comptes des dépenses et des recettes de l'exercice 1876 sont renvoyés à l'examen d'une Commission de vérification, pour le rapport en être présenté à l'Assemblée Générale dans sa réunion ordinaire de 1878.

Sont élus membres de cette Commission :

MM. Castel,
Peltier,
Razy,
Tourneux,
Villeneuve.

Rapport de la Commission de Vérification des Comptes.—Exercice 1875.

Messieurs,

La Commission que vous avez nommée, le 27 Juin, 1876, pour vérifier les comptes de 1875, a l'honneur de venir aujourd'hui vous soumettre son appréciation.

Nous devons tout d'abord constater une fois de plus que la comptabilité est établie avec une telle méthode que votre Commission a eu tous les éléments nécessaires pour se livrer à une vérification consciencieuse, qui lui a d'ailleurs été facilitée par le concours complet de l'administration.

Sans entrer dans de longs développements, qui ne seraient que la répétition du rapport lu par M. le Président à votre dernière assemblée, nous devons pourtant en extraire quelques chiffres qui méritent d'attirer votre attention :

Comptes de l'Exercice 1875.—Aux termes du rapport sur cet exercice, les recettes et les dépenses se résument ainsi :—Recettes, 30,844,635 fr. 91 c.; dépenses, 17,946,547 fr. 13 c.

Si nous détachons de cet ensemble le compte spécial du transit, nous constatons, en le comparant à celui de 1874, une augmentation dans les recettes de 16 pour cent environ, alors que les dépenses du même service ont augmenté de 5 pour cent seulement.

Il y a lieu de remarquer, en outre, que, malgré cette légère augmentation de frais pour le transit, les dépenses effectives de tous les services réunis sont en diminution sur celles de l'exercice 1874.

Inventaire.—Comparant l'inventaire général de 1875 à celui de 1874, nous voyons figurer pour la première fois, sous le titre de "Réserve Statutaire," un prélèvement de 55,879 fr. 43 c., représentant 5 pour cent des bénéfices nets de l'exercice et marquant notre premier pas dans la voie des dividendes; en effet, les bénéfices de l'année 1875, dont nous vous rendons compte, se sont élevés à 1,061,709 fr. 35 c., somme répartie conformément aux statuts.

Une somme de 2,148,373 fr. 44 c. a été inscrite sous le titre de "Fonds Spécial provenant de l'Exercice 1874;" elle est destinée, conformément à la proposition du Conseil approuvée par vous, à assurer, s'il y avait lieu, le règlement de nos dépenses ordinaires et à pourvoir à des dépenses extraordinaires ou imprévues sans grever exceptionnellement les exercices pendant lesquels ces besoins se produiraient.

Suivant l'usage des deux années précédentes, il a été prélevé, pour le fonds de renouvellement du matériel 250,000 fr. qui, après avoir été employés jusqu'à concurrence de 135,180 fr. 29 c., ont porté de 500,000 fr. à 614,819 fr. 71 c. la somme disponible au 31 Décembre, 1875.

Nous avons donc trois réserves disponibles et en dehors de ces réserves figures en outre, sous le titre de "Contrevaleur des 2,137 bons de l'actif réservé, amortis par les trois premiers tirages" la somme de 213,700 fr., qui, joint à celle de 7,786,300 fr. représentant la valeur du solde des bons trentenaires qui sont dans le portefeuille de la Compagnie, constitue en son entier le capital de 8,000,000 fr., portion non émise des dits bons.

Il ressort de ces quelques observations tirées de l'inventaire général au 31 Décembre, 1875, que nous avions à cette époque une ressource de 10,819,072 fr. 57 c., partie disponible et partie réalisable avec votre assentiment, pour faire face, s'il y avait lieu, au règlement de dépenses ordinaires, extraordinaires ou imprévues.

Toutes les pièces justificatives ont été examinées par nous avec attention, et à part quelques observations portant simplement sur des opérations d'ordre, nous avons reconnu la parfaite régularité des comptes.

Nous vous disons avec confiance, comme l'ont fait nos prédécesseurs, que toutes les pièces comptables, établies conformément à la sage règlementation du Conseil, par des chefs et des employés auxquels nous devons nos éloges, ne laissent rien à désirer sous le double rapport de la netteté et de l'exactitude.

En conséquence, Messieurs, votre Commission de vérification, à l'unanimité, a l'honneur de vous proposer d'approuver les comptes de 1875.

Les membres de la Commission:—

MM. Castel,
Peltier,
Razy,
Tourneux,
Villeneuve.

Payement du 37me Coupon d'Action.

Intérêt.

Le coupon d'intérêt d'action No. 37, échéant le 1 Juillet, 1877, sera payé, à cette date, au siége administratif de la Compagnie, Rue Clary, No. 9, et chez les correspondants.

Par application de la loi du 29 Juin, 1872, et des dispositions non abrogées des lois antérieures sur les titres des sociétés étrangères, ce coupon subira une retenue de 1 fr. 229.

Dividende.

L'assemblée du 6 Juin ayant fixé, sur la proposition du Conseil d'Administration, le dividende de l'exercice 1876 à 3 fr. 55½ c. par action, le coupon d'action à payer le 1 Juillet sera majoré de 3 fr. 55½ c., moins la déduction de l'impôt de 3 pour cent, ou 0·106 fr.

En conséquence, le coupon d'action No. 37 échéant le 1 Juillet, s'élèvera à la somme nette totale de 14 fr. 72 c.

Actions de Jouissance.

Coupon No. 2.

Le coupon No. 2 d'action de jouissance à mettre en payement le 1 Juillet sera de 3 fr. 55½ c., moins la déduction de l'impôt de 3 pour cent (0·106 fr.) net 3 fr. 45 c.

Payement du 16me Coupon de Délégation.

Intérêt.

Le coupon d'intérêt de délégation No. 16, échéant le 1 Juillet, 1877, sera payé, à cette date, au siége administratif de la Compagnie, Rue Clary, No. 9, et chez les correspondants.

Par application de la loi du 29 Juin, 1872, et des dispositions non abrogées des lois antérieures sur les titres des sociétés étrangères, ce coupon subira une retenue de 1 fr. 107.

Dividende.

L'Assemblée du 6 Juin ayant fixé, sur la proposition du Conseil d'Administration, le dividende de l'exercice 1876 à 3 fr. 55½ c. par action, la part revenant à chacune des 120,000 délégations émises, sur le total des dividendes attribuables aux 176,602 actions que ces délégations représentent, sera de 5 fr. 23 c., moins la déduction de l'impôt de 3 pour cent ou 0·157 fr.

En conséquence, le coupon de délégation No. 16, échéant le 1 Juillet, s'élèvera à la somme nette totale de 16 fr. 46½ c.

Délégations de Jouissance.

Coupon No 2.

Le coupon No. 2 de délégation de jouissance, à mettre en payement le 1 Juillet, sera de 5 fr. 23 c., moins les déductions pour impôts (0 fr. 59½ c.) net 4 fr. 63½ c.

Les coupons ne sont payés chez les correspondants de la Compagnie, à l'étranger, que sur la présentation des titres.

Parts de Fondateurs.

Les 71 pour cent des bénéfices nets réservés aux actionnaires par les statuts permettant, avec l'approbation de l'Assemblée Générale du 6 Juin, la distribution d'un dividende de 3 fr. 55½ c. par action, les 10 pour cent de ces mêmes bénéfices réservés aux fondateurs de l'entreprise par les statuts, donnent, comme part d'un millième, une somme de 194 fr. 28 c., impôt de 3 pour cent déduit.

Escompte de Coupons.

Les coupons d'intérêt et dividende à échoir le 1 Juillet prochain, savoir :—

	Brut.	Net.
	Fr.	Fr.
Coupon No. 37 d'action	16·055	14·72
„ No. 2 d'action de jouissance	3·555	3·45
„ No. 16 de délégation	17·73	16·46½
„ No. 2 de délégation de jouissance ..	5·23	4·63½
Part de fondateur	200·29	194·28

Sont escomptés à la caisse de l'administration de la Compagnie, à Paris, 9 Rue Clary, à partir du 7 Juin, à raison de 5 pour cent l'an.

TABLEAU de la Réduction d'Escompte que subit chaque Coupon suivant le jour du Payement.

Date du Payement.	Actions. De Capital.	Actions. De Jouissance.
	Fr.	Fr.
7 Juin	0·048,384	0·011,352
8 „	0·046,368	0·010,879
9 „	0·044,352	0·010,406
11 „	0·040,320	0·009,460
12 „	0·038,304	0·008,987
13 „	0·036,288	0·008,514
14 „	0·034,272	0·008,041
15 „	0·032,256	0·007,568
16 „	0·030,240	0·007,095
18 „	0·026,208	0·006,149
19 „	0·024,192	0·005,676
20 „	0·022,176	0·005,203
21 „	0·020,160	0·004,730

Date du Payement.	Délégations. De Capital.	Délégations. De Jouissance.
	Fr.	Fr.
7 Juin	0·054,120	0·015,240
8 „	0·051,865	0·014,605
9 „	0·049,610	0·013,970
11 „	0·045,100	0·012,700
12 „	0·042,845	0·012,065
13 „	0·040,590	0·011,430
14 „	0·038,335	0·010,795
15 „	0·036,080	0·010,160
16 „	0·033,825	0·009,525
18 „	0·029,315	0·008,255
19 „	0·027,060	0·007,620
20 „	0·024,805	0·006,985
21 „	0·022,550	0·006,350

PARTS DE FONDATEURS.

Date du payement—	Réduction d'Escompte.
7 Juin	0·638,736
8 „	0·612,122
9 „	0·585,508
11 „	0·532,280
12 „	0·505,666
13 „	0·479,052
14 „	0·452,438
15 „	0·425,824
16 „	0·399,210
18 „	0·345,982
19 „	0·319,368
20 „	0·292,754
21 „	0·266,140

Trente-Sixième Tirage des Obligations.

Le trente-sixième tirage des obligations avec primes et lots aura lieu le 15 Juin, à midi, Rue Clary, No. 9, à Paris.

Huitième Tirage des Délégations.

Le huitième tirage d'amortissement des délégations aura lieu le Vendredi 15 Juin, immédiatement après le tirage trimestriel des obligations, Rue Clary, No. 9, à Paris.

Ce tirage comprendra 1,644 délégations, qui seront remboursées, le 1 Juillet suivant, à raison de 500 fr. l'une, à la Caisse de la Compagnie.

Il sera délivré, dans un délai de quinze jours, à dater du remboursement, aux

propriétaires de délégations amorties, un nombre égal de délégations de jouissance, conformément aux conditions de l'émission.

Les listes des obligations et des délégations qui sortiront au tirage du 15 Juin seront publiées dans le numéro du "Bulletin" qui paraîtra le 22 Juin.

Compte de l'Exercice 1876.

DÉPENSES.

Charges Sociales.

	Fr. c.	Fr. c.
Intérêts des Obligations	7,980,987 50	
Amortissement des Obligations	2,080,000 00	
Intérêts des Bons Trentenaires	912.216 00	
Amortissement des Bons Trentenaires	382,125 00	
Charges annuelles des Obligations et des Bons Trentenaires	103,156 39	
Contrôle du Gouvernement Egyptien	30,000 00	
Charges annuelles des Titres de Coupons Consolidés, des Actions, et des Parts de Fondateurs	48,658 55	
Commission et frais divers des correspondants	107,483 79	
		11,644,627 23

Dépenses Administratives.

France—		
Administration Générale. Conseil d'Administration. Personnel	668,428 65	
Frais divers. Assemblée Générale. Publications. Agences	134,793 83	
Egypte—		
Personnel et frais divers de l'Agence Supérieure	246,569 55	
Service de Santé	8,812 00	
		1,058,604 03

Service du Domaine.

Personnel et frais divers	209,925 29	
Surveillance des terrains. Entretien des appontements	14,204 56	
Appropriation des terrains. Création des voies. Plantations nouvelles.	121,627 35	
Entretien des bâtiments et des plantations. Essais de culture	140,067 56	
		485,824 76

Service du Transit et de la Navigation.

Personnel classé et personnel auxiliaire	805,788 82	
Frais divers	177,782 56	
Dépenses d'exploitation. Personnel de traction. Salaires d'équipages. Houille. Matières et outillage. Entretien et réparations du matériel. Balisage	575,508 51	
		1,559,079 89

Service de l'Entretien.

Entretien du Canal et de ses accessoires	2,046,699 32	
Fonds de renouvellement de matériel	250,000 00	
		2,296,699 32

Service des Eaux.

Personnel et frais divers	111,223 40	
Charbon. Matières. Entretien et grosses réparations	58,599 49	
Renouvellement de matériel	30,000 00	
		199,822 89
Dépenses de l'Exercice 1876		17,244,658 12
Dépenses sur les Exercices clos 1872, 1873, 1874, et 1875		27,381 22
Total des Dépenses		17,272,039 34

Recettes.

Service Financier.

	Fr.	c.	Fr.	c.
Produits des placements temporaires des fonds disponibles..	244,490	84		
Recettes de banque. Change de monnaies. Recettes diverses	41,822	48		
			286,313	32

Service du Domaine.

Produits du domaine commun	153,555	45		
Produits du domaine particulier	290,315	57		
Reprise sur la participation du Gouvernement Egyptien pour insuffisance des produits du domaine commun en 1876..	96,100	87		
			539,971	89

Service du Transit et de la Navigation.

	Fr.	c.			
Recettes du transit—					
Navires	27,631,545	80			
Passagers	718,435	00			
Barques	92,379	14			
			28,442,359	94	
Pilotage			1,523,178	00	
Remorquage			103,157	54	
Stationnement			40,417	54	
Trafic ou transport par le matériel de la Compagnie—					
Voyageurs	22,119	10			
Messageries	7,542	76			
			29,661	86	
Location du matériel flottant et recettes diverses.. ..			15,998	64	
					30,154,773 52

Service de l'Entretien.

Recettes diverses..				60,672 41

Service des Eaux.

Fournitures d'eau. Etablissement de prises d'eau. Recettes diverses ..				102,031 30
Recettes de l'Exercice 1876				31,143,762 44
Recettes sur les Exercices clos 1873, 1874, et 1875				30,931 91
Total des Recettes				31,174,694 35
	Fr.	c.		
Dépenses de l'Exercice	17,272,039	34		
Intérêts des Titres de Coupons Consolidés ..	1,700,000	00		
Intérêts du Capital Social	9,986,325	00		
Amortissement des Actions afférent à l'Exercice 1876	108,000	00		
			29,066,364	34
Excédant des Recettes			2,108,330	01
Réserve Statutaire 5 pour cent (Art. 69)			105,416	50
Bénéfice net..			2,002,913	51

Répartition Statutaire des Bénéfices Nets (Art. 63).

		Fr.	c.
71 pour cent	aux actionnaires	1,422,068	59
15 „	au Gouvernement Egyptien	300,437	03
10 „	aux fondateurs	200,291	35
2 „	aux Administrateurs	40,058	27
2 „	aux employés	40,058	27
		2,002,913	51

Inventaire Général au 31 Décembre, 1876.

Actif.

Dépenses représentant le Prix de Revient du Canal Maritime au 31 Décembre, 1876.

	Fr.	c.
Dépenses constatées à l'Inventaire Général au 31 Décembre, 1875	472,156,079	58
Dépenses d'augmentation et d'amélioration du Canal en 1876	643,477	88
Total..	472,799,557	46

Actif suivant Estimation.

	Fr. c.	Fr. c.	Fr. c.
Domicile Administratif et Siége Social—			
Hôtel de la Compagnie à Paris ..	959,726 42		
Mobilier et matériel des bureaux—			
Paris	62,854 68		
Alexandrie : caisses et résidences ..	30,989 29		
		1,053,570 39	
Service du Domaine—			
Terrains, valeur	Mémoire.		
Bâtiments	3,647,640 82		
Mobilier, matériel	11,794 35		
		3,659,435 17	
Service du Transit, de la Navigation, et du Télégraphe—			
Mobilier et matériel des bureaux ..	13,459 35		
Matériel et outillage en service ..	430,504 68		
Approvisionnements divers.. ..	112,802 82		
		556,766 85	
Entretien, Matériel et Magasins—			
Mobilier et matériel des bureaux ..	24,793 03		
Matériel et outillage en service ..	6,951,871 93		
Approvisionnements divers.. ..	4,274,402 02		
		11,251,066 98	
Service des Eaux—			
Mobilier	711 05		
Conduites, reservoirs et appareils, matériel..	2,092,792 24		
Approvisionnements	53,246 62		
Bâtiments et abris	129,780 00		
	2,276,529 91		
Frais de premier établissement ..	3,016,594 58		
		5,293,124 49	
			21,813,963 88
			494,613,521 34

Actif Disponible ou Réalisable.

Caisse, Banque de France, et Sociétés de Crédit	6,822,395 01	
Portefeuille	3,629,821 60	
Agence d'Alexandrie	2,793,432 95	
Débiteurs divers ou divers comptes courants débiteurs ..	605,658 70	
Mandats à recevoir	4,977 13	
		13,856,286 39
Bons d'intérêts arriérés d'actions—		
Non réclamés par les ayants droit	227,120 00	
Part affectée au fonds spécial d'amortissement des délégations..	4,861,150 00	
		5,088,270 00

Actif Réservé.

80,000 Bons Trentenaires non émis, dont—		
76,606 en portefeuille	7,660,600 00	
3,394 amortis par les quatre premiers tirages.. ..	339,400 00	
		8,000,000 00
		521,558,076 73

Passif.

	Fr.	c.	Fr.	c.
Capital social, 400,000 actions à 500 fr.			200,000,000	00
Consolidation d'intérêts arriérés d'actions, 400,000 bons à 85 fr.			34,000,000	00
Emprunt de 1867–68, 333,333 obligations émises à 300 fr. .			99,999,900	00
Emprunt de 1871, en bons trentenaires—				
120,000 émis à 100 fr.	12,000,000	00		
80,000 réservés à 100 fr.	8,000,000	00		
			20,000,000	00
			353,999,900	00
Créanciers divers—				
Solde restant dû sur les coupons d'actions mis en payement..	2,770,252	75		
Solde restant dû sur les coupons d'obligations mis en payement	405,291	03		
Solde restant dû sur les coupons de bons trentenaires mis en payement	14,975	17		
Solde restant dû sur les coupons de délégations ..	1,311,631	90		
Solde restant dû sur les coupons de titres de coupons consolidés	298,353	91		
Solde restant dû sur les parts de fondateurs	24,488	15		
Solde restant dû sur obligations appelées au remboursement..	680,470	00		
Solde restant dû sur les bons appelés au remboursement .	47,186	00		
Solde restant dû sur les délégations appelées au remboursement	1,199,500	00		
Solde restant dû sur les actions appelées au remboursement	220,500	00		
Actions vendues pour compte de divers	81,815	28		
Délégations vendues pour compte de divers	6,806	10		
Obligations vendues pour compte de divers	13,629	47		
Bons vendus pour compte de divers	208	15		
Effets à payer	107,241	16		
Mandats à payer	424,385	21		
Divers créanciers ou divers comptes courants créanciers..	1,582,996	10		
			9,189,730	38
Comptes d'ordre—				
Réserve statutaire	161,295	93		
Fonds spécial provenant de l'exercice 1874	2,148,373	43		
Contre-valeur des 3,394 bons de l'actif réservé, amortis par les quatre premiers tirages	339,400	00		
Fonds de renouvellement de matériel	316,273	14		
			2,959,342	50
Total du Passif			366,148,972	88
Solde des coupons consolidés non présentés à l'échange ..	227,120	00		
Fonds spécial d'amortissement des délégations.. ..	4,861,150	00		
			5,088,270	00
Profits et pertes—				
Bénéfices nets de l'exercice 1876 à répartir			2,002,913	51
Différence en faveur de l'actif reportée pour balance et représentant les produits réalisés pendant la période de construction et de premier établissement			148,317,920	34
			521,558,076	73

RECETTES OU PRODUITS RÉALISÉS PAR LA COMPAGNIE PENDANT L'EXÉCUTION DU CANAL.

	Fr. c.	Fr. c.
Savoir:		
Recettes antérieures à la constitution de la Compagnie ..		6,504 88
Indemnité payée par le Vice-Roi, conformément à la sentence Impériale du 6 Juillet, 1864		84,000,000 00
Prix des cessions faites au Gouvernement Egyptian par la Convention du 23 Avril, 1869, et règlement de comptes (délégations)	30,000,000 00	
A déduire :		
La valeur des Magasins de Damiette achetés antérieurement par contrat	255,469 20	
		29,744,530 80
Produits de placements temporaires de fonds		20,103,536 13
Produits nets des ventes du Domaine, savoir:—		
Cession de l'Ouady	10,000,000 00	
A déduire :		
Le principal de l'acquisition, le mobilier, le matériel et les constructions du fait de la Compagnie et l'indemnité de licenciement du personnel	2,406,648 01	
Net	7,593,351 99	
Terrains divers	55,093 51	
		7,648,445 50
Recettes des services—		
De la Construction		401 70
Du Transit		4,461,649 08
De Santé		137,415 21
De la Poste et du Télégraphe		123,707 67
Du Domaine		941,848 03
Recettes diverses, Négociation de Traités, Change de Monnaie		1,149,881 04
		148,317,920 34

No. 8.

Mr. Standen to the Earl of Derby.—(Received December 6.)

My Lord, *Paris, December 3, 1877.*

IT has been judged expedient by the Council of Administration of the Suez Canal Company to send two of their Directors from time to time to Egypt to inspect the works and establishments connected with the Canal.

At the usual monthly meeting of November last it was decided that an inspection should be made this winter, and the Council expressed a wish that M. Spément and myself, neither of whom had yet seen the Canal, should undertake this inspection.

Another Director, M. Fréville, who intended visiting Egypt this season, requested that he also might share this duty with us.

In soliciting your Lordship's sanction to my acceptance of this offer, I think it right to state that I consider that the experience to be gained in my thus having an insight into the practical working of the Canal will be of great value and assistance to me hereafter in my duties on the Committee of Management, an opinion which is shared by Sir John Stokes and Mr. Rivers Wilson.

I therefore propose, should your Lordship see no objection to my accepting this duty, to start for Egypt with my colleagues about the 10th January next, and to return to Paris early the following March.

I have, &c.

(Signed) EDWD. J. STANDEN.

No. 9.

Mr. Lister to Mr. Standen.

Sir, *Foreign Office, December* 12, 1877.

I AM directed by the Earl of Derby to inform you, in reply to your despatch of the 3rd instant, that his Lordship sanctions your acceptance of the proposal made by the Council of Administration of the Suez Canal, that you should be one of the Directors who are to be sent this winter to inspect the works and establishments connected with the Canal.

I am, &c.
(Signed) T. V. LISTER.

No. 10.

Mr. Standen to the Earl of Derby.—(Received December 19.)

My Lord, *Paris, December* 17, 1877.

I HAVE the honour to report to your Lordship that the third drawing of shares of the Suez Canal Company for repayment of capital, at which I was present, took place on the 15th instant.

In conformity with the table of amortization of these shares, copy of which was forwarded to your Lordship in Colonel Stokes' despatch No. 44 of the 21st June, 1876, 227 shares were drawn for repayment, of which number 75 belong to Great Britain.

I inclose herewith a certified list in detail of the numbers of the 75 shares now drawn.

(Signed) EDWD. J. STANDEN.

Inclosure in No 10.

List of Shares belonging to the British Government drawn for repayment on December 15, 1877.

Actions.—Troisième Tirage d'Amortissement, le 15 *Décembre*, 1877.

NUMEROS des actions appartenant au Gouvernement Anglais sorties au troisième tirage :—

Nos.	Actions.
266,826 à 266.850	25
302,651 à 302,675	25
309,701 à 309,725	25
Total	75

Paris, le 15 *Décembre*, 1877.

Certifié,
Le Chef des Titres,
(Signé) E. CHARPENTIER.

Certifié conforme :
Le Secrétaire-Général,
(Signé) MARIUS DOUTANEY.

No. 11.

The Secretary to the Admiralty to Mr. Lister.—(Received January 28.)

Sir, *Admiralty, January 26, 1878.*

WITH reference to my letter of the 28th June and to yours of the 7th August last, in regard to the depth of water at the Port Saïd entrance to the Suez Canal, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of the Secretary of State for Foreign Affairs, printed copies of Staff Commander Millard's Report on this subject, together with a manuscript copy of the survey made by that officer.

I am, &c.
(Signed) ROBERT HALL.

Inclosure in No. 11.

Report on a Survey of Port Saïd, made by Staff Commander J. Millard, August 1877.

ARRIVING at Port Saïd on July 24, an examination was at once begun in search of the "22 feet bank" reported to extend from the lightship to the eastward, thereby obstructing the fairway to the Canal. The result proved the non-existence of such bank, the leading mark in, viz., the Lake Light, seen midway between the red and green lights of the lightships, carrying 28 feet to within the breakwater. This duty completed and reported upon, steps were taken to prosecute the survey of the harbour, with the approaches.

Erroneous report of shoal in fairway to Canal.

Leading mark has 28 feet.

After some little delay in obtaining the necessary permission to erect surveying marks along the shore, the actual survey was begun on August 1, and carried on, with little interruption from bad weather, until completed on September 5.

Commencement and completion of survey.

The soundings have been taken to the nearest half-foot (as the state of the sea permitted), and reduced to the datum of 10 ft. 4 in. below the coorsill of the High Light-house.

Soundings to half feet.
Datum.

The bottom was almost invariably of dark sand and mud, but a remarkable belt of hard white sand extends east and west of the breakwaters, in depths of 20, 21, and 22 feet, whence the general muddy shoaling to seaward begins.

Nature of bottom.
General shoaling commences.

The soundings indicate a shallowing over the whole area outside the breakwaters, of from 1 to 2 feet since Commander Wharton's survey of last year, and from 2 to 3 feet since the survey of 1875, with an advance of the several banks.

Shallowing extensive.

From the outer lightship bearing east south-east, distant 3 cables, is a bank of 23 feet. This may have given rise to the "22 feet bank" reported, from the possibility of a ship being set to the eastward when stopped to take up the pilot, and having to port her helm to regain the fairway, stricking shoal soundings in the meantime.

At 3½ cables north-west of the lightship is a 26-feet bank, which has extended (equally with the general shoaling) to the northward. This, in fact, appears to be the change that takes place, no material alteration having occurred in the depth since the survey of 1875, two years and a half ago.

26-feet bank.

Change in the advance of bank and not in depth.

The east bank, 1½ miles east by south from the lightship, maintains the same depth as in last year, viz., 23 and 24 feet, but has advanced 3 cables to the north-east in the last ten months.

East bank.

The 12 and 14 feet banks of 1875, and the 10 feet banks of last year, have now respectively 11 and 12 feet, the ground swell, due to the summer sea breezes, being sufficient to prevent the formation of any shoaler heads than 10 feet, notwithstanding mud being discharged in their vicinity day and night.

Banks.

Ten feet the least depth by mud deposit.

Inside the west breakwater for its whole length the silt has been considerable; a dry bank having now formed, which extends half a mile from the lighthouse; this is due to the beach from the westward having advanced to the open blocks of the breakwater, through the interstices of which the sand brought along by the shore drift is now carried; hitherto the shore line has been met by a quay of solid masonry, its annual advance was then regular (about 110 feet), but during the last ten months the beach has only extended 9 feet from the above cause.

Sand banks inside west breakwater
Advance of dry sand bank.
Probable cause of advance.
Cessation of extension of western beach.

At 6½ cables within the entrance of the Canal, a bank of hard sand was found, the greatest depth in section across being 24½ feet; this will give less than 24 feet when reduced to the level of lowest spring tides, which fall 8 inches lower than the datum used

Bank in the Canal.
Depth at lowest spring tides.

Lowest springs fall 8 inches below datum. Shoal spots in Canal. Cause of shallows in the Canal.

in the reduction of the soundings. I was informed by the officers of the Company that many such spots exist in the Canal, but efforts were being made to dredge them away before the end of the year. The shoal in question was evidently due to the detritus from the banks, for in several places near, considerable washing away had occurred. The same was observed on the shores of the harbour; buttresses that formed boundaries for the line of quays in 1875 being now in the water.

Comparison of surveys. Advance of contours. Comparison of sections. Average annual deposit. Shoaling extensive.

Upon comparing this survey with that of last year, it will be seen the 27 and 30 feet contours have advanced about one-third of a mile; this is rather in excess of the usual rate of progress, but an estimate may be approximately formed of the amount of silting that takes place, by comparing sections of the several surveys made. The accompanying tracing is of a section from the lighthouse, through the 26 feet bank north-west of the lightship, and is given for three surveys, 1870, 1875, and 1877. This gives the average rate of deposit at 1 foot per year, and it is not localized to particular spots, but is broad in its character extending over the whole area comprising the approaches to Port Saïd.

Measurements of beach.

Measurements were taken of the beach from fixed marks as under:—

Fixed Marks.	High-water Level.	Since 1875.	Since 1876.
	Feet.	Feet.	Feet.
West Pole	697	Advanced 27	Advanced 10
Arab Pole	494	„ 144	Receded 31
2,682 block	42	„ 115	Advanced 9
East Pole	306	..	Receded 34
Obelisk	139	..	„ 101

Encroachment of sea upon eastern shore.

From this table, the rapid washing away of the eastern shore is apparent, more particularly near the obelisk, the sea having their encroached 100 feet, and cut a cliff (2 and 3 feet high) through the bushy sand hillocks.

Cessation of chang in western shore. Cause of cessation.

The western shore has undergone but little change. At the Arab pole it has receded since last year, and the advance of the breakwater is only 9 feet; the reason, as before stated, is, the blocks being now reached, the sand is carried through them into the canal.

Sand excavations from beach. Reclaiming swamp Hopes of checking formation of banks inside breakwater. Probable effects of westerly gale.

The sea beach from the lighthouse westward, in front of the town, is being excavated near the water's edge: this is for reclaiming the swamp separating the Arab town from the European quarter, and which has always been a source of malaria and sickness. Hopes are also entertained that the enormous quantity of sand thus transported will give a check to the rapidity with which the bank inside the breakwater now forms. At present the water line is not altered, and the shore drift is the same, but after a westerly gale, the beach will in all probability be thrown back to the holes and pits which have been made.

Extension of west breakwater now submerged. Overfalls. Subsidence of parts of breakwater.

The extension of the west breakwater of 300 metres made in 1874 and 1875, and since renewed, is now under water, one part of it being submerged 15 and 16 feet, through which the current rushes with great velocity, causing overfalls on the inner side of the breakwater. Several parts of this breakwater were being repaired in September, the subsidence of the blocks causing gaps through which the sea would break.

East breakwater sinking. Easterly gales very rare.

The east breakwater is still "settling down," a boat being able to pass through in many places. No attempts are made to renew it, only a foundation for the light-tower at its extremity being maintained. Easterly gales are of such rare occurrence that this breakwater is hardly needed for protection.

No change in depth on sides of east breakwater.

No appreciable change in the depth of water on either side of the eastern breakwater has taken place since the survey of 1875.

Currents.

The currents are the same as those already reported, one peculiarity, however, was observed—for many days together the easterly stream appeared as a belt of densely muddy water, a mile only in breadth, and was bounded at that distance from the shore by a wall of clear water, meeting it at an angle, causing a remarkably defined line. A similar line was met with on the southern edge of the easterly stream after passing the breakwaters, but not so clearly defined. Her Majesty's ship "Research," when going to, and returning from, Alexandria, did not experience the strong easterly current expected, but found a set inshore, the wind being from north to north-west.

Easterly current. Inshore set. Rate of current.

The rate of the easterly current at the extremity of the west breakwater was one and a-half knots per hour, being stronger than had hitherto been observed, probably due to the confined breadth of the easterly stream, as stated before. A change of wind, or a fresh breeze off shore was sufficient to break these features.

Change of wind alters features. Under-current.

The under-current from the extreme of the west breakwater, observed in 1875, is

again apparent, a remarkable cutting of 31 feet being caused by the underscour. The lightship moored nearly in its track, has always deep water round it. Deep water near Lightship.

Dredging operations are being actively carried on, day and night, when weather permits. In the month of August, one of the Company's most powerful sea dredgers was employed deepening a line parallel to the fairway, but on the eastern side of the channel, to as far as the first green lightship. The same dredger was then shifted to a position half-a-mile outside the outer lightship, working on another line parallel to the first; this nature of work may practically be considered as constant. Dredging. Dredging entrance to harbour. Commencement of canal works. Dredging in the entrance constant.

Another dredger was also employed during August, dredging part of the bank at block 2,682, the inner end of the west breakwater. This also may be looked upon as incessant; at all events until some favourable change is wrought on the beach to the westward. Necessity of dredging sand bank near lighthouse.

(Signed) JOHN MILLARD, *Staff Commander, R.N.*

Malta, November 3, 1877.

No. 12.

*The Earl of Derby to the British Suez Canal Directors.**

Gentlemen, *Foreign Office, January* 31, 1878.

WITH reference to my despatch of the 30th June last, I transmit to you, for your information, a printed copy of Staff Commander Millard's Report on the depth of water at the Port Saïd entrance of the Suez Canal.†

I am, &c.
(For the Earl of Derby),
(Signed) T. V. LISTER.

No. 13.

Mr. Trevor to Mr. Lister.—(Received March 4.)

Sir, *Board of Trade, Whitehall Gardens, March* 2, 1878.

I AM directed by the Board of Trade to transmit herewith copy of a letter and its inclosure which have been received from Messrs. Rathbone, respecting an engagement which they state is exacted from the masters of their steamers as a condition for the steamers being allowed to pass through the Suez Canal after sunset; and I am to request that, in laying these documents before the Earl of Derby, you will suggest, for his consideration, the propriety of causing them to be submitted to the English Directors of the Suez Canal Company for their observations.

I have, &c.
(Signed) C. CECIL TREVOR.

Inclosure 1 in No. 13.

Messrs. Rathbone to Mr. Farrer.

Sir, *Liverpool, February* 27, 1878.

WE beg leave to inclose, for your information, an engagement which is exacted from our captains as a condition of their steamers being allowed to pass through the Suez Canal after sunset.

We bring the engagement before you because, considering the interest which this country has in the management of the Canal, not only as very large shareholders in it, but also by reason of the number of steamers under the British flag which pass through it, we think that the engagement might form a proper subject of representation to the authorities entrusted with the management of the Canal by the Board of Trade.

Our objection to it is of course, first, the selfish one, that it involves us in a very wide and heavy responsibility for what might occur in connection with the passage of one of our steamers through the Canal when she was under compulsory pilotage, and therefore not wholly under the control of our own officers.

* A similar despatch was addressed to Mr. Vivian.

† Inclosure in No. 11.

But it seems to us there are much wider grounds on which a representation might be addressed to the Canal authorities.

Our contention is that while on one hand it is in the interest of the Canal Company to give every facility which can safely be granted for the rapid passage of the traffic through the Canal, it is, on the other hand, their duty to the general public to take care that no individual is allowed to jeopardise, for his own purposes, the free traffic of the Canal or the safety of other vessels passing through it.

If, therefore, the passage of the Suez Canal after sunset really involves extra and serious risk of accidents, which might either temporarily block up the Canal or injure other vessels passing through it, the practice ought not to be allowed under any circumstances, while, if there be no such risk attending the passage under proper precautions, there can be no ground for exacting a guarantee from captains, the scope of which it is very difficult for a ship-owner to estimate, and which is, to say the least, very onerous.

From the best information we are able to obtain it appears that on moonlight nights there is no extra risk of accidents from vessels passing through the Canal after sunset, while on dark nights no prudent pilot or captain would think of leaving his moorings.

What, therefore, we would respectfully venture to suggest, is that the Board of Trade should urge upon the authorities of the Suez Canal to allow vessels to pass through it after sunset, subject to conditions which shall guard against the movement of vessels when there is not sufficient light to enable them to navigate it with reasonable safety?

We are, &c.

(Signed) RATHBONE BROS. AND Co.

Inclosure 2 in No. 13.

Engagement.

I BEG the Canal authorities to allow my ship, the , to pursue her course after sunset to , taking on me the entire responsibility for all accidents that may result from my movements not only in what concerns my ship, but also to other vessel or vessels in transit, as well as to the floating and working stock or constructions of the Suez Canal Company that may happen to be on my way. I assume, moreover, the entire responsibility for all losses of time that may be incurred by other vessels on transit through any grounding of my vessel.

No. 14.

The Earl of Derby to the British Suez Canal Directors.

Gentlemen, *Foreign Office, March* 7, 1878.

I TRANSMIT to you herewith, for such observations as you may have to offer thereupon, a letter, with its inclosures, from the Board of Trade,† relative to a complaint on the part of Messrs. Rathbone, of Liverpool, respecting certain conditions alleged to be exacted from the masters of steamers when passing through the Suez Canal after sunset.

I am, &c.

(For the Earl of Derby),

(Signed) T. V. LISTER.

No. 15.

The British Suez Canal Directors to the Earl of Derby.—(Received March 15.)

My Lord, *Paris, March* 12, 1878.

WE have carefully examined the complaint of Messrs. Rathbone, of Liverpool, forwarded to your Lordship by the Board of Trade in their letter of the 2nd instant, and referred to us by your Lordship's despatch of the 7th instant.

The subject of which it treats, namely, the rules under which vessels can navigate the Suez Canal at night, had already received our attention during the discussion in the beginning of February on the new "règlement de navigation."

* No. 13.

We have again taken occasion to confer with the Vice-Presidents of the Company on this subject, and to bring under their notice the observations of the Messrs. Rathbone.

We pointed out to them the excessive nature of the guarantee exacted from the captains of vessels wishing to continue their voyage at night, and the possible evil that might result to public interests in general from allowing to individuals the advantage of thus gaining a few hours at night.

The Vice-Presidents replied that the Company have required the guarantee to which exception is taken as much in the interests of shipowners themselves as of the world in general, and the Company in particular.

They have hoped, by making the guarantee so heavy, to deter unskilful captains and vessels which do not steer well, and are therefore likely to get into trouble, from undertaking the night voyages which, even on moonlight nights, are not without risk, though the Company do all that lies in their power to diminish that risk.

At the same time the Vice-Presidents point out a fallacy which lies in the first objection raised by Messrs. Rathbone, namely, that they incur a liability for their vessel when she is under compulsory pilotage, and therefore not wholly under the control of their own officers. They point out that although every vessel must take a pilot, and her captain must follow the indications given by the pilot allotted to him, the vessel remains under the captain's command, who is responsible for the handling of her.

We are bound to say that we do not think that the navigation by night should be encouraged, no captain is obliged to incur the risk; if he does so, there seems to be no reason why he should not be called upon to assume all the liabilities which he may possibly incur. Shipowners have the remedy in their own hands: they can order their captains not to give the guarantee or quit their moorings.

The Company have a very good argument in favour of not altering the present rule, and that is, that it has worked very well for the last six years, during which time there have been neither accidents by night nor complaints of the rules under which the navigation by night has been permitted, except this recent objection to the form of guarantee given by the captains.

We have, &c.
(Signed) J. STOKES.
C. RIVERS WILSON.

No. 16.

Mr. Lister to Mr. Farrer.

Sir, *Foreign Office, March* 23, 1878.

LORD DERBY communicated to the British Directors of the Suez Canal Company your letter of the 2nd instant, relative to the complaint of Messrs. Rathbone respecting the conditions under which steamers are allowed to pass through the Canal after sunset.

I am now directed by his Lordship to transmit to you a copy of the despatch which has been received from the British Directors in reply;* and I am to request that in laying it before the Board of Trade, you will state that the explanation on the subject there given appears to be satisfactory.

I am, &c.
(Signed) T. V. LISTER.

No. 17.

Mr. Standen to the Earl of Derby.—(Received April 6.)

My Lord, *Paris, March* 28, 1878.

I HAVE the honour to report that in company with my French colleagues, MM. Fréville and Spément, I, this winter, made a visit of inspection to the Suez Canal, as sanctioned by your Lordship's letter of the 12th December last, and have now returned to my post in Paris to resume my duties on the Managing Committee of the Company.

The result of this inspection has been to convince me that the Canal, properly speaking, as distinguished from the harbour and roadstead, is in a thoroughly efficient

* No. 15.

working state, and that with the addition of a few improvements that are very desirable, if not necessary, it can be rendered quite capable of satisfying all demands that are likely to be made upon it by the navigation for some years to come.

There are, however, certain facts connected with its maintenance that must not be lost sight of, and these I propose to allude to in giving a short sketch of the Canal as I found it from its entrance at Port Saïd to its exit at Suez.

Of the entrance to the port itself from the sea, one is bound to confess that the slow yet unavoidable silting up of the sea basin along this coast, cannot but be regarded with uneasiness for the future, a shallowing that although it is not one of paramount importance at the present moment, may eventually become of vital interest in the question of maintenance of a navigable channel from the Mediterranean to the Red Sea.

Port Entrance.—An examination of the new survey completed at the end of last month, shows that the entrance into the port from the sea has a fairway of 27½ feet minimum depth over a width of 100 metres. Abreast of the extension of the west breakwater or pier, now just submerged, the width of this channel has been dredged out to 240 metres for some distance seawards, in order to give vessels a greater margin while passing this part of the breakwater, that affords as yet but little protection against the set of a heavy sea from westward.

There is no doubt, as is shown from Commander Millard's survey of August last, that a gradual shoaling of the whole sea basin in front of Port Saïd is slowly taking place, as is probably the case along the whole coast of the south-east corner of the Mediterranean; but although, as I have above stated, this may cause anxiety for the future, it is not as yet of a sufficiently serious nature to endanger the channel at the entrance to the harbour.

The considerable deposit of sand which regularly takes place along the inner side of the west breakwater seems to be slightly on the increase since the advance of the western shore to the point where the breakwater is of a more open construction.

It, however, causes no uneasiness to the chief engineer, who is confident of being able to more than keep pace with any such formation. That he has been able to do so up to the present time is proved by the excellent channel maintained.

The silt, above alluded to, is not deposited in the fairway itself, which is at some distance from the breakwater, and the dredger passing over this bank once a year, takes away all that has been deposited in the interval, leaving a space to be refilled during the ensuing season.

It may be found necessary hereafter to consolidate this pier by some means if possible, so as to prevent this infiltration of sand from taking place, but the necessity for so doing has not yet made itself felt. Indeed it is a question whether it is not preferable to have this silt deposited just inside the breakwater where it is under control, than to allow it to be forced up by the littoral current round the pier-head and deposited at hazard on some part of the sea entrance where it may not be so easily dealt with.

West Breakwater.—The west breakwater suffered considerably from a very heavy gale that visited the coast on the 15th and 16th February a few days previous to our inspection.

During this storm several of the large blocks made of solid rubble masony set in hydraulic lime, and weighing more than 20 tons each, which had been placed carefully in position to crown the breakwater, were thrown from their bed by the violence of the waves, and thus openings occur here and there through which the sea now breaks when there is a heavy swell on.

These blocks will be replaced as soon as fine weather sets in, and forty additional blocks are to be deposited along the pier where most needed during the ensuing summer.

I noticed that these blocks although displaced were not broken, thus proving their superiority over those first employed, which were composed of sand and hydraulic lime only, and many of which have been broken up and disintegrated.

The extension of this breakwater, which was carried out in the years 1874-1875, to a length of 450 metres, and at a slight elevation above the sea level, has gradually settled down, and is now just submerged, but it is not thought worth while at present to incur the expense of raising it again above water.

East Breakwater.—The east breakwater, which is of comparatively small interest, would appear to have settled down considerably since it was built. The most remarkable feature connected with it at present is the extraordinary encroachment of the sea along the coast at its foot, which is now entirely cut off from the land by a strip of water or some 300 feet in breadth. This washing away of the shore is accounted for by the very great expanse of water between the piers which permits of a current setting across it under the influence of the prevailing west winds, and this acting at the root of the pier on a flat

sandy beach, opened a way through which has increased in width every succeeding year. This can be at once remedied by prolonging the pier shorewards, and of a height sufficient to prevent a wash of water over it where it joins the land.

Harbour.—The condition of the harbour of Port Saïd is at present satisfactory enough, but it will soon have to be enlarged to meet the increasing demands of the navigation. I was informed by the British Consul, Mr. Perceval, that on one occasion he had counted as many as thirty ocean-going steamers in the harbour at one time; it then appeared as full as it could hold. This, however, was quite an exceptional case.

Canal entrance.—At the entrance proper into the Canal from the harbour is situated the piece of ground belonging to the British Admiralty, on the west bank. This ground, as your Lordship is aware, is to be removed in order to widen the entrance, an equal piece of land, similarly situated, being made over to the Admiralty in its stead.

Canal.—Of the Canal itself, I may state generally that the surveys of January and February last show a minimum depth throughout of 26 feet over a width of 72 feet, the average depth being 27 feet, and in many places 27½ feet. The points on which 26 feet only are found are very few and far between, and they will be dredged down this summer to 8·30 metres, or 27¼ feet. The shallow bank mentioned in Commander Millard's report of August last at 0·6 miles where was only 24½ feet, was dredged away last autumn shortly after his survey was made.

Embankments through Lake Menzaleh.—For the first twenty-four miles of its length, the Canal was carried through Lake Menzaleh, but the lake basin on the other side is now dried up. The channel throughout this portion is good and easy of navigation; the banks, however, are in a state that gives rise to some uneasiness for the future.

Being formed of the mud dredged up from the bottom of the lake, they have never properly solidified, and in many places their height above the water-level of the Canal is from four to six feet only. On the western side for the first few miles there appears to be a large amount of sand mixed up with the lake deposit forming the embankment, which has the effect of hardening it; but on the east, from some cause or other, the banks remain moist, and in some few places so soft that one can without difficulty bury a stick in them by a simple thrust from the hand.

This moisture is attributed to the salt contained in the deposit of which these embankments are formed—salt deposited by the overflow of the sea at various times into the Menzaleh lake.

Owing to this want of solidity, and perhaps to the fact that the wash which takes place against the eastern bank of the Canal is aggravated by the prevailing winds, which blow from west to east for about nine months in the year, it has been more eaten away than on the other side.

At two places, viz., at 6¼ miles and 8¼ miles, this degradation assumed so threatening a character that it was deemed advisable to revet the banks with stone in a permanent manner. At the latter point 1,800 metres of stone revetment were carried out last year, and this season a length of 2,000 metres is in course of execution commencing from the 6-mile post.

The first siding or station, that of Ras-el-ech, is situated at 7½ miles between the two revetments above-mentioned.

Throughout the entire length of 24 miles all attempts to promote the growth of reeds, shrubs, or any kind of vegetation along the slopes which would help to protect them have been fruitless, so that eventually the whole distance will have to be protected on both sides by a stone revetment, with the exception of some 5 miles along the east bank from 19 to 24 mile posts where the revetment may be dispensed with.

There is at present a large quantity of stone deposited along this part of the Canal for use hereafter. As the greater portion of it is deposited on the slopes with a certain amount of regularity, it is of very great service already in diminishing the wash caused by passing vessels.

At 13 miles siding No. 2 is reached, and at 18$\frac{5}{10}$ miles is siding No. 3, which will this year be widened from 10 mètres, as at present, to 15 mètres.

At 24½ miles is the station of Kantara. The Canal here passes through the first sand-dunes, where the slopes are easily maintained.

Ballah Lakes.—Between 26 and 30 mile-posts, the Canal traverses what were formerly the Ballah Lakes. The banks are very low and soft, particularly on the east side; and, as the level of the lake basin, now nearly dry, is below that of the Canal surface, it was judged expedient to revet the worst portion of this bank from 28½ to 29½ miles temporarily.

The siding at this point (29¼ miles) is also to be widened this year to 15 mètres.

At 32 mile-post the banks are again very low, in some places from 1½ to 2 feet only above the water-level. A provision of stone has here been carefully deposited to serve as a protection until a revetment can be carried out.

El Guisr Cutting.—On reaching the station of El Ferdane at 35 mile-post, the banks improve, the Canal here entering the sand-dunes and cutting of El Guisr, a length of 9 miles.

Throughout the whole of this distance, until Lake Timsah is reached, the slopes at the water's edge are well protected against the wash of vessels by the reeds and tamarisk bushes that grow on either side, but very little silting takes place in this part of the Canal. Fears were entertained, after its completion, that the loose sand of the dunes and high plateau would be blown over the slopes, which vary from 20 to 50 feet in height, and, falling down into the Canal bed, would rapidly diminish its depth. A very ingenious plan has, however, been adopted by the Chief Engineer, M. Lemasson, for the arrest of this threatened danger. It consists simply in cutting a gallery along the slopes, the floor of which is about 3 feet above the level of the water, and its breadth varying according to their height. The sand driven over the sides by the wind, and which would otherwise deposit itself in the Canal, falls down onto the floor of this gallery. As soon as this receptacle is entirely filled up, the gallery is cleared of the accumulated sand, which is carted away.

The same system is also applied at the Serapeum cutting, and it is found that these galleries need clearing out only about once every two years.

It is only on the west bank that this precaution is necessary. The effect of the wind on the opposite side is to sweep the loose sand in the other direction, the prevailing winds, as I have already mentioned, blowing from west to east.

Lake Timsah.—At 41 miles the Canal enters Lake Timsah, on the shores of which is situated the town of Ismaïlia, the head-quarters of the Company on the Canal.

I took advantage of the passing of Her Majesty's troop-ship "Jumna" to make the trip on board her through the lake, in order to see how she turned the only difficult curve now existing in the Canal. As the weather was fine and no breeze blowing, the curve was passed with the greatest ease; but Captain Chitty, the Transport Agent on board, informed me that in bad weather this curve still offers difficulties. It was straightened to some extent last year, but it will have to be further rectified. Captain Chitty also mentioned that he was of opinion that some three or four extra mooring buoys should be fixed along the outer edge of the lake station, in order that vessels anchored there might make use of them to haul into position when starting afresh on their voyage. For want of such accommodation, and with certain winds blowing, he had known vessels detained nearly an hour in manœuvring before being able to make a start. The Directors will bring this point to the notice of the Company.

Serapeum Cutting.—Shortly after leaving the Lake, the Canal enters the cutting through the plateaux of Toussoum and Serapeum. This cutting is some 7 miles in length; its banks are in good preservation. Reeds and tamarisks grow freely at the water's edge, a growth encouraged as much as possible along the whole length of the Canal.

Great Bitter Lake.—At 52½ miles the Great Bitter Lake is reached. At this point a new siding, the "Deversoir," was constructed last year. The mooring-station for the north end of this lake was previously in the lake itself at a small lighthouse 2 miles from the land. It was found, however, that, in case of fog or bad weather, the communication and signalling from the land with vessels anchored here was so difficult, and sometimes even impossible, that it was decided to make a siding at the point mentioned, and where, in fact, the offices of the Station-master and Telegraph Clerk were already established. In the Lake itself the water is deeper by some 2 or 3 feet than in the Canal, and vessels are no longer obliged to keep in any one particular channel after passing the North Light, until the South Light is reached, a distance of 8 miles, when they must again take to the fairway between the buoys.

At the South Light is a mooring station, which is worked by signals from the land at Cabret Point, 2½ miles distant. A siding must eventually be constructed at this point also, the same inconveniences presenting themselves occasionally as at the north end of the Lake, though not, I am told, to so great an extent.

Little Bitter Lake.—Throughout the Little Bitter Lake now entered, the channel is buoyed. At its southern extremity is the "Guerin" siding, at $72\frac{3}{10}$ miles. This siding is a double one. It is to be widened this year on both sides to 15 mètres.

Owing to the tidal influence of the Red Sea making itself felt as far as this, the entrance into and departure from the sidings, under certain conditions of wind and tide, is a matter of greater difficulty here than in the upper part of the Canal. The sidings,

therefore, from this point to Suez have all been doubled—*i.e.*, a vessel can moor out of the channel on either side.

Chalouf Cutting.—The cutting through the rocky plateau of Chalouf, which was the most difficult of execution, and which has a length of about five miles, is in a very good condition as regards the general depth, but the slopes have in many places been attacked in a manner that seems surprising when the hardness of the material composing them is considered. They consist chiefly of strata of rock combined with layers of marl and gypsum. It is to the presence of the large quantity of this latter material that the destruction of the banks is due. The gypsum dissolves slowly by the action of the salt water; a hollow in the bank is thus gradually formed, and after a time the super-imposed mass from which the support has been withdrawn falls.

It is intended to revet the banks on both sides of this cutting by degrees. A length of 150 metres of dry masonry was laid down more than eighteen months since as an experiment. It was in perfectly good condition on the occasion of our visit in February, and no doubt a similar revetment will be adopted throughout this part of the Canal. At present there is a large amount of stone placed alongside both banks, and all that has been deposited during the past year has been placed with great care, so as to form an efficient protection for some time to come.

At 79 miles post is the "Guillaumet" siding. This was widened to 15 metres last year on the west bank, and this year the same increase of width will be made on the east bank opposite.

At 82 miles the last station before arriving at Suez is reached. It is not proposed to widen this siding till next year.

Suez Entrance.—A run of five miles carries the Canal out past Suez into the Red Sea. The channel at this end is rather deeper than in the rest of the Canal, as it is dredged out to 27½ feet at low tide, which here has a rise and fall of from 4 to 6 feet. Although the various currents caused by the tide render the steering of vessels very difficult at times, yet no doubt they are productive of some good in tending to keep a clear channel out to sea.

Stores, Magazines, &c.—The stores, magazines, and workshops of the Company are kept in excellent order. We proceeded in several instances to verify the inventories of materials, a verification which served to show the correctness of the books even to the minutest detail.

Workshop at Port Saïd.—I was much struck with the valuable plant and machinery in the large workshop at Port Saïd, consisting of powerful lathes, drills, shears, saws, &c., and a steam hammer, to which I may add a small foundry where some very creditable castings were turned out.

This workshop is chiefly devoted to the repairs of the dredgers, barges, and steam fleet of the Company, for which purpose also two good ships have just been constructed.

The arrangements for the motive power in this factory are so well managed that a small engine of 12 horse-power suffices to keep the whole of this machinery in movement.

A year or two ago two engines of equal force were considered necessary for the same work. In the event of damage to a vessel passing through the Canal, the Company can undertake repairs even of a serious nature. Such a case happened last year, when repairs to the amount of 50,000 fr. were executed on a steamer totally disabled, belonging to the Austrian Lloyd's Company. The direction at Trieste forwarded to the Canal Company a letter of thanks, expressing their great satisfaction at the way in which the work had been performed.

Accounts.—The accounts of the Company, as might be expected, are kept with the greatest care and exactitude by the different services at Port Saïd, Ismaïlia, and Suez, the head office, where all centre, being at Ismaïlia.

The staff employed is a large one, but the salaries of the employés are very moderate.

It has been suggested that the work might be done with fewer hands. It is possible that two or three clerks might be dispensed with in each office, and with a smaller staff the same results might be arrived at, but in this case a higher rate of pay would have to be given, and the change would not lessen the expenses.

It is, moreover, a great advantage in so trying a climate to have a staff rather large than restricted. Leave of absence on account of ill health has frequently to be granted, and the direction rather encourage a demand for leave than not, up to a certain point, believing, after many years of experience, that it is for the good of the service that each employé should have a change once every three years.

The advantage of the present system was clearly shown during the past summer, when nearly three-fourths of the employés at Ismaïlia were laid up with fever at the same time.

Those who were not attacked managed, though with great difficulty, to carry on the office work until their companions could return to their posts. This would not have been possible with fewer hands.

Technical Service.—The technical service, of which I saw perhaps more than of any other, seems to me to be well organized, and the employés quite up to their work. A complete survey of the Canal is made by this service twice a year, and frequent surveys are made of the entrance and harbour of Port Saïd.

Transit Service.—Of the service charged with regulating the transit of vessels through the Canal, I prefer to quote the opinion of Admiral Willoughby, who has had much experience of it for some few years past. He said to me, "I cannot speak too highly of the manner in which the transit service of the Company is performed, and as for the pilotage service, I consider it almost perfection." This is great praise, and I think it is deserved. He further stated that he considered the Canal greatly improved in every way during the last two years—the navigation was certainly much easier.

With respect to the possibility of the Canal being blocked by a sunken vessel, I am able to report that the Chief Engineer has turned his attention to this question. He states that in the event of a vessel being sunk in mid-channel, he can dredge away a canal of equal depth outside it and of sufficient width to allow the navigation to pass, in the space of some five or six days.

With so speedy a remedy, the apprehensions of a possible blocking up of the Canal in this manner lose much of their importance, and the idea of an attempt being made to blow up the banks is considered by the Company's engineers as too absurd to be entertained.

A guard of Egyptian infantry was stationed at Kantara in addition to the small force at Port Saïd and Suez, and I noticed patrols of cavalry along the plateaux of El Guisr, Serapeum, and Chalouf.

I have, &c.
(Signed) EDWD. J. STANDEN.

No. 18.

Mr. Standen to the Earl of Derby.—(*Received April 6.*)

My Lord, *Paris, March 29, 1878.*

BEFORE leaving Cairo for the Isthmus of Suez, I told M. de Lesseps that I wished if possible to make the journey to Ismaïlia by the new fresh-water canal, as I considered that a personal inspection of it was, under present circumstances, both desirable and even necessary.

This canal was completed last year, as reported to your Lordship in a Memorandum annexed to our despatch of the 24th March, 1877, but it is not yet fairly opened to the public.

M. de Lesseps entered into this idea, and obtained permission from the authorities to allow us to pass the locks without hindrance.

Two of the steam-launches belonging to the Suez Canal Company were sent up to Cairo, and on the 20th February our party, consisting of M. Victor de Lesseps, my colleague M. Fréville, three of the principal officers of the Company, and myself, started for Ismaïlia. We left Cairo at 7 A.M., and reached our destination at 9 P.M. the same day—a run of fourteen hours. The trip was performed without difficulty, and the only delay we experienced, besides that of passing the locks and bridges, was at Gassassine, where we grounded on a sand-bank and remained fast for a few minutes.

The depth of the canal throughout varied from 4 to 6 feet, except on the bank above-mentioned, where there was only 3½ feet. This depth was certainly less than I had expected to find, but it must be remembered that the Nile is unusually low this year; an average state of the river would give another 2½ feet of water in the canal.

The formation of the bank on which we grounded was due, we were informed, to a mistake on the part of the Egyptian authorities, who, after the canal was handed over by the contractor and accepted by them, thought fit to test it by opening all the locks simultaneously, and allowing a rush of water through it from the Nile. The tremendous pressure caused by such a volume of water proved sufficient to undermine the side revetment of the Gassassine overflow, and swept a vast quantity of sand into the bed of the canal. No attempt has been made to dredge this away; the Government refusing to do it, and the contractor, with reason, asserting that he was not responsible for what had occurred.

As far as we could judge, the masonry both of the locks and bridges is solid and good, that of the locks particularly so.

The banks on both sides of the canal are in very good condition, and for nearly two-thirds of the entire length are protected by a growth of weeds, and by vegetation of different kinds that has already sprung up.

We passed a few small sailing barges on our way, and at a point near Cairo noticed a dredger at work.

As reported to your Lordship in my despatch of the 21st March, 1877, the tolls to be levied on vessels using this canal are to be devoted for the space of six years to repaying the Suez Canal Company the sums it advanced to enable the canal to be completed, and the contractor the balance of the account due to him by the Government.

A Commission, appointed by the Khedive, in which the Canal Company and the contractor were both represented, sat last summer, and came to an agreement as to the tariff to be imposed. There was a difference of opinion, however, on two or three minor points, and the Convention ratifying this tariff was postponed.

On the arrival of M. de Lesseps in Cairo this winter the points in dispute were adjusted and the Convention about to be signed, when serious opposition was offered by the representatives of the railway interest, who insisted on a higher rate of tolls for the canal, fearing that if the proposed tariff were adopted, the canal, when once opened to the public, would divert much of the traffic from its present route, and thus materially affect their receipts.

The Suez Company has no wish to injure the railway interest. It would, in this case, rather have nothing to do with the canal, and would much prefer a speedier method of reimbursement of the sums it has advanced, but having accepted this method of repayment, it must insist on its being a real one, and it cannot consent to the adoption of a tariff which would practically be prohibitory.

We heard to-day by telegraph from Cairo that all opposition was now withdrawn, and that a Convention, ratifying the tariff as fixed by the Commission above-mentioned, was to be signed without further delay.

I have, &c.
(Signed) EDWD. J. STANDEN.

No. 19.

Mr. Lister to Mr. Standen.

Sir, *Foreign Office, May 22, 1878.*

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your Reports of the 28th and 29th March, relative to your visit to the Suez Canal; and, in conveying to you his Lordship's thanks for these papers, I am to inform you that they have been read with interest.

I am, &c.
(Signed) T. V. LISTER.

No. 20.

*Mr. Lister to Mr. Lingen.**

Sir, *Foreign Office, May 22, 1878.*

I AM directed by the Marquis of Salisbury to transmit to you, for the information of the Lords Commissioners of the Treasury, copies of Reports by Mr. Standen relative to his visit to the Suez Canal.†

Mr. Standen has been thanked for these papers, and informed that they have been read with interest.

I am, &c.
(Signed) T. V. LISTER.

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* Similar letters to the Admiralty, Board of Trade, and India Office.

† Nos. 17 and 18.

COMMERCIAL. No. 13 (1878).

CORRESPONDENCE respecting the Affairs of the Suez Canal.

Presented to both Houses of Parliament by Command of Her Majesty. 1878.

LONDON:
PRINTED BY HARRISON AND SONS.

REPORT

FROM THE

SELECT COMMITTEE

ON

TRAMWAYS (USE OF MECHANICAL POWER) BILLS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
7 *June* 1878.

Ordered,—[*Tuesday, 5th February* 1878]:—THAT every opposed Tramway Bill of the present Session, whereby it is proposed to authorise the use of steam or other mechanical power, be referred to a Select Committee of Nine Members, Five to be nominated by the House, and Four by the Committee of Selection, and that such of the Petitioners against the Bills as pray to be heard by themselves, their Counsel, or Agents, as shall have presented their Petitions in accordance with the Standing Orders, be heard upon their Petitions if they think fit, and Counsel heard in favour of the Bills against such Petitions.

THAT Five be the Quorum of the Committee.

MEMBERS OF THE COMMITTEE.

Mr. Arthur Peel.
Sir Graham Montgomery.
Mr. Knight.
Admiral Egerton.
Mr. Maurice Brooks.
} Nominated by the House—[*Monday, 25th February* 1878].

Mr. Pemberton.
Mr. Denis O'Conor.
Mr. Bates.
Mr. Holms (Paisley).
} Nominated by the Committee of Selection—[*Tuesday, 26th February* 1878].

Ordered,—[*Thursday, 28th February* 1878]:—THAT the Report and Minutes of Evidence of the Select Committee on Tramways (Use of Mechanical Power), 1877, be referred to the Committee.

Ordered,—[*Friday, 8th March* 1878]:—THAT it be an Instruction to the Committee to consider under what conditions (if at all) the use of steam, or other mechanical power, may be authorised upon Tramways during the present Session, and to take evidence thereon if they shall think fit.

THAT the Committee have power to send for Persons, Papers, and Records.

Ordered,—[*Monday, 15th April* 1878.]:—THAT it be an Instruction to the Committee, that they have power to deal with all Tramway Bills of the present Session, whether opposed or unopposed, which have been referred to them, notwithstanding that the Promoters may be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorise the use of steam or other mechanical power.

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REPORT.

THE SELECT COMMITTEE to whom every opposed TRAMWAY BILL of the present Session, whereby it is proposed to authorise the use of STEAM or other MECHANICAL POWER, was referred; and who were instructed to consider under what conditions (if at all) the use of STEAM or other MECHANICAL POWER may be authorised upon TRAMWAYS during the present Session, and to take evidence thereon if they should think fit; and who were empowered to deal with all TRAMWAY BILLS of the present Session, whether opposed or unopposed, which had been referred to them, notwithstanding that the Promoters might be desirous to withdraw from any such Bills the Clauses whereby it was proposed to authorise the use of Steam or other Mechanical Power;——HAVE considered the matters to them referred, and have agreed to the following REPORT:—

1. YOUR Committee were entrusted with the duty of drawing up regulations which should govern the use of steam or other mechanical power on Tramways, and they had at the same time before them a number of Bills and Provisional Orders which involved the application of those motive powers, and which it was proposed to make subject to such regulations as the Committee might approve.

It was indeed within the discretion of your Committee to consider whether any other than animal power should be permitted on Tramways, but deciding this question in the affirmative, your Committee proceeded to consider under what conditions and restrictions the powers which were sought for should be conceded.

2. A difficulty at once presented itself to your Committee in forming their judgment. Parliament had, indeed, in two instances, sanctioned the use of steam, and trials had been made in some parts of this country and in Ireland, by arrangement with local authorities, for the experimental use of mechanical power; but the instances were too few, and the trials of too partial a character to allow of a definite judgment being formed.

3. A Bill of last Session, introduced by the Government for the purpose of allowing experimental trials of steam on Tramways, was not proceeded with, and a further opportunity was thus lost of observing the results of the working of a novel and interesting principle.

4. A Select Committee, however, which sat last Session upon the same subject, viz., Mechanical Power on Tramways, had printed evidence, and drawn up a Report, which afforded valuable assistance. Your Committee examined fresh witnesses, and also re-examined some who had given evidence last year, but who wished to supplement their remarks by the experience which they had gained in the interval. General Hutchinson also, an Inspector of the Board of Trade, at the request of the Committee, not only visited those places in this country where steam was in use, but also personally examined and reported upon the actual condition of Tramways abroad. He visited, among

other places in this country, Portsmouth, Batley, and Edinburgh, and abroad, Paris, Rouen, and Liege, and in addition obtained written information as to the working of steam tramways in Germany; and the results of his observation are embodied in the evidence which he gave before the Committee. Upon the evidence and materials thus afforded, your Committee based a series of recommendations, which, after full discussion, have been embodied in clauses which, so far as they were applicable, have been incorporated with the various Bills and Orders which were referred to them.

5. The principles upon which these clauses and recommendations are framed are as follows:

1. It is not expedient to throw impediments in the way of the use of other than animal power on Tramways.

2. While fair liberty should, on the one hand, be granted to promoters, it is necessary, on the other hand, to take such securities as are warranted by the novelty of the undertaking, and by the possible realisation of unforeseen consequences.

3. The local authorities are competent judges of the policy of encouraging steam on Tramways, and should be at liberty to make such contracts and agreements with promoters as they may deem best for the local interests which they represent.

4. The Board of Trade should have powers to intervene on behalf of the public (1) to prevent undue pressure being put by local authorities upon promoters, (2) to prevent bargains being made by which the public may be injured either as residents or as ratepayers.

5. Looking to the novelty of the proposed undertaking, to the greater profits which the use of steam may render possible to companies, and to the possible failure and inconvenience of the use of steam or other mechanical power in frequented thoroughfares, it is desirable—

1. To provide for a periodical revision of tolls.

2. To provide for the cessation, at the end of seven years, of the contract or agreement under which the use of steam or other mechanical power may be sanctioned, so that at the end of that and of recurring periods of like duration the concession should either absolutely terminate or be so modified and generally revised as the experience gained may seem to require.

6. That in the event of any contract having been entered into between the local authorities and promoters, and any difference arising between the parties, and such difference being made the subject of appeal, as your Committee have provided, to the Board of Trade, your Committee have inserted a proviso that while such appeal is pending, the Board of Trade may order that no steam or mechanical power shall be used on the Tramway to which such appeal relates, and that if no fresh contract, or any renewal of the former contract shall be made no steam or other mechanical power shall be used on such Tramway.

7. Your Committee are of opinion that so far as they are applicable, the provisions of the Acts under which the Railway Commissioners exercise their jurisdiction should extend to these undertakings for the purpose of securing interchange of traffic and of preventing undue preference.

8. They also think that licenses for the experimental use of steam or other mechanical powers may be granted by the Board of Trade on application made to them, subject to such conditions as they may deem proper. Your Committee have drawn up clauses for this purpose, and it is a matter well worthy of consideration, whether these should not be inserted in the Bills and Orders of the present Session, which do not contain authority for the use of steam.

9. Your Committee have also drawn up suggestions to govern the use of steam or other mechanical power, to provide for the safety of passengers, and for

for the security of the general public. They recommend these suggestions to be the subject of bye-laws, to embrace the regulating of—

General speed.

Speed, on approaching facing points or other places.

The use of bell or whistle, or other warning apparatus.

The stoppage or slackening of speed in case of impending danger, frightening of horses, &c.

The posting of bye-laws in conspicuous places.

The stoppage of the cars where advisable at fixed places, *e.g.*, at intersection of cross streets, so as to avoid passing these at speed.

Ingress and egress of passengers.

Protection of passengers from machinery.

Emission of smoke or steam.

These bye-laws they are of opinion should be framed by the Board of Trade, and be of general application.

7 *June* 1878.

PROCEEDINGS OF THE COMMITTEE.

Thursday, 7th March 1878.

MEMBERS PRESENT:

Mr. Maurice Brooks.	Mr. Bates.
Mr. Holms.	Mr. Denis O'Conor.
Admiral Egerton.	Mr. Arthur Peel.

Mr. ARTHUR PEEL was called to the Chair.

The Committee deliberated.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 14th March 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Admiral Egerton.	Mr. Holms.
Mr. Bates.	Mr. Maurice Brooks.
Mr. Pemberton.	Mr. Denis O'Conor.
Mr. Knight.	Sir Graham Montgomery.

Several Private Bills were considered.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 18th March 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Denis O'Conor.	Sir Graham Montgomery.
Mr. Pemberton.	Mr. Maurice Brooks.
Mr. Bates.	Mr. Knight.
Admiral Egerton.	

Mr. *Thomas H. Farrer*, C.B., and Major General *Charles S. Hutchinson*, R.E., were severally examined.

[Adjourned till Thursday, 28th March, at Twelve o'clock.

Thursday, 28*th March* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Pemberton.	Mr. Maurice Brooks.
Mr. Bates.	Mr. Holms.
Sir Graham Montgomery.	Admiral Egerton.
Mr. Denis O'Conor.	Mr. Knight.

A Private Bill was considered.

[Adjourned till To-morrow, at Twelve o'clock.

Friday, 29*th March* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Denis O'Conor.	Mr. Holms.
Sir Graham Montgomery.	Mr. Maurice Brooks.
Mr. Pemberton.	Mr. Knight.
Admiral Egerton.	Mr. Bates.

A Private Bill was considered.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 1*st April* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Admiral Egerton.	Sir Graham Montgomery.
Mr. Pemberton.	Mr. Maurice Brooks.
Mr. Denis O'Conor.	Mr. Holms.
Mr. Bates.	

A Private Bill was considered.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 4*th April* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Pemberton.	Mr. Knight.
Mr. Bates.	Mr. Maurice Brooks.
Sir Graham Montgomery.	Mr. Holms.
Mr. Denis O'Conor.	Admiral Egerton.

Mr. *Pembroke Stephens*, on behalf of the promoters of certain Bills authorising the use of steam, applied to be allowed to call evidence on the general question of the use of steam on tramways, and the regulations of the Board of Trade relating thereto.

The Committee deliberated, and decided that they could only hear counsel as representing particular Bills referred to them by the House, and not on the general question.

Mr. *William Barfoot*, Major General *Hutchinson*, and Mr. *George Richardson*, were severally examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 11*th April* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Pemberton.	Mr. Maurice Brooks.
Mr. Bates.	Mr. Holms.
Sir Graham Montgomery.	Admiral Egerton.
Mr. Denis O'Conor.	Mr. Knight.

Mr. *William Lyster Holt*, Mr. *George Hopkins*, Dr. *Wood*, Dr. *James Barras*, and Mr. *Charles B. King*, were severally examined.

[Adjourned till Monday, 13th May, at Twelve o'clock.

Monday, 13*th May* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Pemberton.	Mr. Maurice Brooks.
Sir Graham Montgomery.	Mr. Holms.
Mr. Denis O'Conor.	Admiral Egerton.

Mr. *Dilwyn Parrish* and Mr. *John Haddan* were severally examined.

[Adjourned till To-morrow, at Twelve o'clock.

Tuesday, 14*th May* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Bates.	Admiral Egerton.
Mr. Denis O'Conor.	Sir Graham Montgomery.
Mr. Maurice Brooks.	Mr. Holms.
Mr. Pemberton.	

A Private Bill was considered.

[Adjourned till To-morrow, at Twelve o'clock.

Wednesday, 15th May 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Pemberton.	Mr. Holms.
Sir Graham Montgomery.	Admiral Egerton.
Mr. Denis O'Conor.	Mr. Bates.
Mr. Maurice Brooks.	Mr. Knight.

The Committee deliberated, and *agreed to* the following "SUGGESTIONS."

"I.

"Same consents as to the construction of steam tramways, or application of steam or other mechanical power to existing tramways, as are now necessary, except as hereinafter specified.

"No general limitation as to width of street or road, but each case to be judged on its merits.

"Freedom of contract as to construction, maintenance, and repair of streets and roads, contribution to local rates, fares, tolls, and general charges, subject to appeal to the Board of Trade.

"The Board of Trade may grant special licenses for experimental trial of steam or other mechanical power on existing tramways, subject to appeal to the Board of Trade.

"In case of proposed application of steam or other mechanical power to an existing tramway, power to either party to terminate existing contracts, and make fresh contracts, with the approval of, and subject to appeal to, the Board of Trade.

"II.

"*Restrictions and Regulations.*

"Break power to be sufficient in the opinion of the Board of Trade.
"Maximum speed not to exceed a specified limit according to nature of line traversed.
"Every engine to be fitted;
"With an indicator showing the speed;
"With a fender to push aside obstructions;
"With a bell, whistle, or other warning apparatus;
"Engine to be free from noise produced by blast or clatter of machinery, and the machinery to be concealed from view at all points above four inches from level of rails.
"Fire to be concealed from view.
"Board of Trade to have power to inspect engines and boilers whenever deemed necessary, and to prohibit use when found unsafe.
"The Company to be liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future Session of Parliament.
"Fresh regulations may be made from time to time by Board of Trade in view of exigencies of any particular case, or otherwise, as circumstances may require.

"III.

"Bye-laws of general application to be made by the Board of Trade—
"Regulating general speed.
" " speed, on approaching facing points or other places.
" " the use of bell or whistle, or other warning apparatus.
" " the stoppage or slackening of speed in case of impending danger, frightening of horses, &c.
" " the posting of bye-laws in conspicuous places.
" " the stoppage of the cars where advisable at fixed places, *e.g.*, at intersection of cross streets, so as to avoid passing these at speed.
" " ingress and egress of passengers.
" " protection of passengers from machinery.
" " emission of smoke or steam."

[Adjourned till To-morrow, at Three o'clock.

Thursday, 16*th May* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Denis O'Conor.	Admiral Egerton.
Sir Graham Montgomery.	Mr. Maurice Brooks.
Mr. Bates.	Mr. Knight.
Mr. Holms.	

The Committee deliberated.

Resolved, That the "Suggestions" agreed to at the last sitting of the Committee, be communicated to the Promoters of the several Bills referred to the Committee for embodiment in clauses.

Parties informed thereof accordingly.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 20*th May* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Bates.	Admiral Egerton.
Mr. Maurice Brooks.	Mr. Denis O'Conor.
Sir Graham Montgomery.	Mr. Holms.

Several Private Bills were considered.

[Adjourned till To-morrow, at Twelve o'clock.

Tuesday, 21*st May* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Denis O'Conor.	Admiral Egerton.
Mr. Bates.	Mr. Maurice Brooks.
Sir Graham Montgomery.	

Several Private Bills were considered.

[Adjourned till To-morrow, at Twelve o'clock.

Wednesday, 22*nd May* 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Bates.	Mr. Denis O'Conor.
Mr. Pemberton.	Mr. Maurice Brooks.
Sir Graham Montgomery.	Admiral Egerton.

Several Private Bills were considered.

[Adjourned till To-morrow, at Twelve o'clock.

Thursday, 23rd May 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Admiral Egerton.	Sir Graham Montgomery.
Mr. Pemberton.	Mr. Maurice Brooks.
Mr. Bates.	Mr. Holms.
Mr. Denis O'Conor.	

Several Private Bills were considered.

[Adjourned till Monday next, at Twelve o'clock.

Monday, 27th May 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Pemberton.	Mr. Maurice Brooks.
Mr. Bates.	Admiral Egerton.
Sir Graham Montgomery.	Mr. Holms.
Mr. Denis O'Conor.	

Several Private Bills were considered.

[Adjourned till To-morrow, at Twelve o'clock.

Tuesday, 28th May 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Admiral Egerton.	Mr. Knight.
Mr. Denis O'Conor.	Mr. Maurice Brooks.
Mr. Bates.	Mr. Holms.

Several Private Bills were considered.

[Adjourned till To-morrow, at Twelve o'clock.

Wednesday, 29th May 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Mr. Bates.	Sir Graham Montgomery.
Mr. Holms.	Mr. Maurice Brooks.
Admiral Egerton.	Mr. Denis O'Conor.

Several Private Bills and Tramways Orders Confirmation Bills were considered.

[Adjourned till Friday, 7th June, at Twelve o'clock.

Friday, 7th June 1878.

MEMBERS PRESENT:

Mr. ARTHUR PEEL in the Chair.

Admiral Egerton.	Sir Graham Montgomery.
Mr. Denis O'Conor.	Mr. Bates.

DRAFT REPORT proposed by the *Chairman*, read a first and second time, and *agreed to.*

Ordered, To Report, together with the Minutes of the Evidence taken under the Instruction of the House of Friday the 8th of March, and an Appendix.

EXPENSES OF WITNESS.

Name of Witness.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Mr. William Lyster Holt	Civil Engineer - -	Paris - -	3	3 3 -	5 - -	8 3 -

The following BILLS were considered by the Committee:—

1. Dublin Southern District Tramways.
2. Swansea Improvement and Tramways.
3. Boston District Tramways.
4. Wirral Tramway.
5. Belfast Street Tramways.
6. Aberdeen District Tramways.
7. Glyn Valley Tramway.
8. Blackburn, Accrington, and Over Darwen Tramways.
9. Tramways Orders Confirmation (No. 1).
10. Tramways Orders Confirmation (No. 3).
11. Abernant Branch Railway and Tramways.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Monday, 18th March 1878.

MEMBERS PRESENT:

Mr. Bates.
Mr. Maurice Brooks.
Admiral Egerton.
Mr. Knight.
Sir Graham Montgomery.
Mr. Denis O'Conor.
Mr. Peel.
Mr. Pemberton.

MR. ARTHUR PEEL, IN THE CHAIR.

Mr. THOMAS HENRY FARRER, called in; and Examined.

Chairman.

1. THE Committee are anxious that you should give them some evidence on the present condition of this tramway question; can you state generally what is the present condition of the question so far as your department, the Board of Trade, is concerned?—Perhaps I had better start from the Report of the Select Committee of last year. When that Committee made its Report, it became obvious that it would be extremely difficult to pass any general Bill containing regulations concerning tramways during last Session, even if there was sufficient experience to enable the Government to frame one. The Board of Trade, therefore, introduced a short Bill enabling them to give a provisional license for a certain period, in order that experiments might be made, and having the further object of giving persons who had applied for steam powers last year, facilities for introducing their schemes this year. That Bill was not proceeded with, and consequently the Board of Trade have very little more experience than they had at the time when the Select Committee sat last year.

2. Did that Bill contemplate that provisional licenses should be issued at the discretion of the Board of Trade to any company applying?—To any company applying; for a limited period.

3. There were no companies specified?—No; it applied to any tramways in Great Britain.

4. That Bill was not proceeded with?—It was not. Subsequently the Board of Trade granted a license to the Vale of Clyde Tramway Company and to the Wantage Tramway Company to use steam. I am not quite sure whether I am right in saying that it was subsequently (I forget the exact date of those bye-laws), but the conditions which were imposed upon those companies were substantially the same as those which are contained in the schedule to the clauses that I have put in this year. The Vale of Clyde Company has run with steam for some time, and, in February last, General Hutchinson went down to inspect it and make a report. He has made his report, a copy of which I will put in, and he will be here to explain it himself. (*The same was delivered in.*) The short result of it, I think, may be stated to be this: that the engines had run at a rather greater speed than was sanctioned by the bye-laws; that the brake power and the governor acted in a perfectly satisfactory manner; that the speed indicator did not act in a perfectly satisfactory manner; and upon that General Hutchinson is now in communication with the company, and with the inventor of the speed indicator, and he proposes to see it again. There had been some accidents, some of which were due to the fault of people who got in the way of the car, and some to reckless driving, and some had not then been investigated.

Chairman—continued.

5. Were those conditions and bye-laws which were imposed upon the Vale of Clyde and the Wantage Tramways the same, generally speaking, as those which are now before the Committee?—They are the same substantially, so far as the working of steam power is concerned. Then, in the autumn of last year, it appeared that there was a very large number of applications for the use of steam power; some of them by Bill and some by Provisional Order; and it was eventually arranged that the opposed Bills should all be referred to a Committee, that is to say, to this Committee; that the Board of Trade should proceed with their Provisional Orders, and that they should insert in the Provisional Orders certain conditions which, upon a *primâ facie* consideration, appeared to the Board of Trade and to the authorities of the House to be desirable conditions; but that those conditions should not be

Mr. *Farrer.*
18 March 1878.

Mr. *Farrer*.

18 March 1878.

Chairman—continued.

put forward as absolute and final determinations of the Government or of the Board of Trade, but as matters to be considered in this Committee; and that then it would be open to the authorities of the House, on hearing the conclusions of this Committee, to apply whatever regulations might be determined upon, both to the unopposed Bills and to the Provisional Orders. The Provisional Orders are important, so I will put in a paper showing what they are. (*The same was delivered in.*) There are 18, I think, now proceeding, involving 97 miles of tramway and more than half-a-million of capital; and most of them involving the use of steam.

6. I suppose considerable responsibility is felt by the Board of Trade in having to apply to these Provisional Orders, regulations, and bye-laws without any definite code having been drawn up upon the subject?—The Board of Trade have felt very great difficulty, especially as they have very little more experience this year than they had last year. Perhaps I had better put in a copy of the Vale of Clyde bye-laws. (*The same was delivered in.*)

7. Will you state shortly what was the history of the preparation of those clauses; how were they prepared, and upon what experience were they grounded?—The bye-laws contained in the schedule to the proposed clauses which I have put in, were grounded in a great measure upon the Report of the Committee of last year. There are certain points in which they differ from the recommendations of that Committee, and on those points I think that General Hutchinson will be able to give you better evidence than I can. I am speaking now specially of the regulations for the use of steam. The Committee recommended that there should be a stringent regulation as to the amount of brake power; so far as our experience goes, it appears that the makers of these engines always supply a sufficient quantity of brake power, and that therefore any stringent bye-law upon the subject is unnecessary.

8. In your opinion, as the representative of a department which has to do with these things, is it, generally speaking, possible to distinguish between town and country in this matter; between a street and a road, for instance?—We have always felt that very great difficulty might arise upon any attempt to draw a distinction of that sort with accuracy. Many a way which is now a road becomes converted into a street; a suburban road quickly becomes a street. There is a precedent for attempting the distinction in the 9th section of the Tramways Act, 1870, which says that every tramway in a town which is authorised by Provisional Order shall be constructed and maintained as nearly as may be in the middle of the road; and then the next part of the same section, which relates to the width of the road in which a tramway is to be constructed, appears as if it was intended only to refer to streets and not to roads, because it speaks of the houses, shops, or warehouses abutting upon that part of the road.

9. In these Regulations, Schedule A., Part I., page 5, I observe a marked distinction drawn between a street and a road?—Yes, there is a distinction. In the first case there is what appears to be an absolute prohibition of the use of steam or mechanical power in a street of less than a certain width. In the second Part, which relates to roads, and apparently not to streets in towns, there is a power to dispense with that prohibition after a local inquiry by the Board of Trade. I should think we might very likely find it difficult to determine to what cases those two provisions were to apply, and that is one of the points which I was anxious to lay before the Committee. I think I may state that our impression at the Board of Trade is on the whole against a hard-and-fast line in this matter. It is clear that there are certain cases where a tramway might be a nuisance, and it is also clear that there are some cases where a steam tramway might be a nuisance; but it is very difficult, by any hard-and-fast line of that sort, to distinguish between cases where it might be a nuisance, and those in which it would not.

Chairman—continued.

10. You think that as between town and country the matter must be left to the discretion of the Board of Trade, or of some department of the Government, to say in what cases the respective conditions are to be imposed?—I am inclined to think so, always giving the local authority a great voice in the matter. I am not quite certain that as this is drawn it would operate as a hard-and-fast line, because the clause which incorporates those bye-laws gives power to the Board of Trade to substitute other bye-laws for the bye-laws in the schedule; so that it is possible that they might have power to substitute other bye-laws for the bye-law in question. They might, I think, have power to substitute another bye-law even for that first bye-law, which appears at first to be an absolute prohibition.

11. But do I read that condition aright, that the narrowest part of the road or street is held to govern the whole street, so to speak, that that is to be regarded as the weakest part of the line, and that, if there is a very narrow portion of an otherwise wide street, the Board of Trade will be governed by the narrowness of that particular gut rather than by the general width of the road?—I believe that to be the meaning of the first of these bye-laws, and it is its operation in such a case as you mention which makes us doubt whether it is a wise provision or not; because one very narrow portion may come in such a place in the road as to obstruct the whole tramway or the whole use of steam on a long road.

12. Then if in the case of a tramway on which the use of steam was otherwise unobjectionable, the question arose as to the narrowness of a certain part, do you think that should be left to the discretion of, say, the Board of Trade after local inquiry?—I am inclined to think so; that would be my view.

13. You have raised the question whether steam should be used with or without the consent of the local authority; that is a very important point; will you give us your view upon that subject?—That is a question which it is not very easy to answer. If steam were thoroughly well understood, and if it could be subjected to perfectly well-known regulations, I should be disposed to think that it might, subject to those regulations, be used without any absolute power of prohibition in the local authority. But, considering how new a thing it is, and how desirable it is that where it is introduced it should be done with the consent of the locality, I do not think it is an unreasonable proposition that it should never be used without the consent of the local authority.

Chairman—continued.

authority. But that is just one of the questions which we were very anxious to bring before the Committee, and it is a very important question.

14. Then you think that the local authority should have a veto upon the use of steam upon tramways?—The whole of the Tramway Act was drawn with a view to give the local authority as much power as possible in the matter; to encourage them to make the tramway and to give them great powers for controlling it, and for ultimately purchasing it. Although that power may be, and perhaps in some cases is, abused, on the whole, I think it is a wise principle to trust as much as you can to the local authority.

15. Then, reversing the picture, would you allow the local authority to apply for a tramway, and regard that as conclusive evidence of the wishes of the locality?—Of course that is the difficulty in the matter. We occasionally have allegations that the local authority do not represent the views of those who have the best right to be heard; and occasionally we may find on an inquiry that when the local authority have given their consent there is still so strong a local feeling and opinion against the tramway that we are obliged to refuse it; but, on the whole, looking to the whole of the country and looking to the larger views of policy, I am inclined to think that, in this matter of tramways, it is desirable to give the local authority as much power as you can. Some power of deciding there must be, either in a central or a local authority. And it is an extremely difficult thing for any central department with any army of inspectors to understand local wishes and interests so well as the local authority.

16. Is there any instance of a local authority applying for a tramway, which had been found upon inquiry to be objectionable in the interests of the public?—I believe there is no case in which we have refused to proceed with an order for a tramway applied for by a local authority, on the ground that it is contrary to the wishes and interests of the local public; but there are certainly cases in which we have on those grounds refused a tramway which has been consented to by a local authority. Where we make an order for a tramway which has been objected to by any local authority, we make a special report to Parliament.

17. As to the relation in which a steam tramway company, if allowed to exist, should stand to the local road authority in the matter, first, of the repairing of the roads; if you have any new evidence or new experience upon that subject, not of course travelling over any of the ground which you may have travelled over in the previous reports, the Committee will be very glad to hear it?—This was a point which I think was not very fully considered by the Committee of last year, and it appeared to the Board of Trade and to the authorities of the House that if you are going to give to these tramway companies what will really be a very valuable privilege to them, something which, according to their own statements, will enable them very largely to increase their dividends, you ought, at the same time, to make provision that, in some form or another, the public shall get a considerable portion of that advantage. I would illustrate what I mean in this way: I think some of the evidence before the Committee of last year was to the

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effect that steam would effect a saving of something like 2*d.* per mile on the mileage of the tramway companies. If we took the North Metropolitan tramways, we should find that that saving would increase the amount payable for dividends from about 30,000*l.* a year to about 50,000*l.* a year; that is to say, it would increase a dividend of 8½ per cent. to a dividend of something like 13 per cent. I do not vouch for the particular figure, but I merely use this as an illustration. If that is so, we think that certainly, in some form or another, the public ought to share in the advantage of that saving.

18. How is that saving of 2 *d.* per mile arrived at?—I arrived at that by taking the return for the year 1876 of the mileage of the North Metropolitan Tramways; then taking 2 *d.* per mile upon that mileage, and finding what that would add to the gains of the company; and then calculating what that would add to the dividend of the company. The companies will, of course, tell you that with that saving they will give the public additional facilities. We do not always find that when undertakers have a monopoly of a public enterprise, they give the public the benefit of all the savings that they may make; they are apt to put it (and very properly) into the pockets of their shareholders. Therefore, now that the thing is going to be allowed for the first time, this is the proper time at which to make conditions with the companies. The present relation of the tramway companies to the local and road authorities, is that they are to make good the first damage to the road; they are to keep in repair, as the road authority does, the portion of the road between the rails and 18 inches on each side of it; there is power to the road authority and the promoters to agree as to the repair of the whole or any part of the road; then there is the power of settling differences between them; then there is a further power to the local authority after 21 years, to purchase at the actual value, without any calculation of future profits.

Mr. *Maurice Brooks.*

19. You mean the value of the material?—Yes, the value of the material. If steam is to be introduced, and if it is to become as valuable as is expected, the companies will be in a very much better position than they are in now. The question therefore is whether they ought not to be put under certain conditions of giving to the local authority, or to the public exchequer, or both, something more than they do now. Unlike railways, which have to make very costly and extensive works at their own cost, and to buy the land, the tramway companies have the land bought for them; they make use of the road which is already made for them, and as far as my judgment goes, they will to a great extent monopolize the roads.

Chairman.

20. Leaving out for a moment the liability of these new steam companies to contribute to the public exchequer, do you think it would be advisable to lay down certain conditions as between them and the local authority, or to leave it to the discretion of the local authority absolutely to make such conditions as they may see fit?—I think it would be very difficult, with our present knowledge and experience, to lay down any fixed and absolute conditions at the present time.

21. I mean

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21. I mean to say as to the portion of the road which they were called upon to repair?—Or as to the exact amount or proportion of their income which they should pay to the local authority; or, in fact, any hard-and-fast rule of that kind. Therefore in these clauses we have inserted a provision to the effect that the local authority may impose upon the promoters, before giving their consent, any conditions for the payment of money to them, that money to be applied towards the expense of repairing the roads in the district. Whether that is the best form of doing it is a matter which we were anxious to bring under the consideration of the Committee; and whilst adhering stoutly to the principle that these companies, if they are allowed to use steam, ought to pay something, we wish to be understood as leaving it entirely to the Committee to decide in what form it would be best for such payment to be made.

22. Of course, any money that they paid to the local authority for the repair of the roads would go to repair the roads which they have disturbed?—Not necessarily to the repair of those roads only.

23. I observe that these clauses provide for the application of the money to the repairs of the roads generally?—Of the roads within the district of the local authority; in fact, it would go in relief of the rates, and the provision is that the monies to be received by the local authority under any such arrangement are to be applied by them towards the expenses of repairing and maintaining the highways in their district; and the arrangement is to be subject to the approval of the Board of Trade; whether it should be the Board of Trade or the Local Government Board is another question.

24. Is it the rule as to existing tramways that the rate which they pay goes in relief of the general highway rate?—No; their obligation is in respect of the special road which they disturb, and it does not go beyond that. These clauses would enable the local authority to say: "You must pay us a certain sum to go towards the road rates of our district."

25. On what ground would that distinction be based?—On the ground that you are now giving to the companies a further valuable privilege, and that for that privilege they ought to pay the public, and they ought to pay the local public whose roads they use.

Admiral *Egerton.*

26. That is partly on the ground of its being to a certain extent a monopoly, I suppose?—It is not only a monopoly, but it is a monopoly which takes up the public road.

Chairman.

27. The tramways pay to the road rates now, do they not?—The tramways are rated in common with other property.

Mr. *Bates.*

28. Are they rated to the relief of the poor?—To the general rates; they are rated like other property.

Mr. *Pemberton.*

29. But not specially for the road rate?—Not specially for the road rate.

Chairman.

30. So much for the relation in which these steam tramway companies are to stand to the road authority; but a further question arises, viz., what is the distinction between a tramway with steam upon it and a railway? It is obvious that questions of very great magnitude arise as to how a steam tramway is to be treated as compared with the railway. Are you able to speak of any view which may be held by the Government upon that point?—Yes, I think the Government are very strongly of opinion that, if a license is granted to use steam on tramways, a power should be distinctly reserved to the Government and to Parliament to impose upon the companies any tax which the Government and Parliament may hereafter think fit to impose upon them. What I mean is, that the granting of this privilege shall not be considered to confer any vested right upon the companies to refuse to pay any such tax.

31. The tax being the passenger duty?—That, of course, is the thing that is in mind. The railway companies have always alleged that they are placed at a great disadvantage, as compared with omnibuses and tramways, in having the passenger duty imposed upon them. It is therefore a subject for consideration whether, in justice to the railway companies as well as in justice to the public exchequer, there should not be some equivalent tax imposed upon tramway companies; and we have inserted a clause to that effect.

32. Will you read that clause?—"Notwithstanding anything in this order contained, the promoters or any persons using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future Session of Parliament relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways, or the passengers or traffic conveyed thereon, and to any condition, regulation, or restriction which may be imposed upon the use of tramways or upon the use on tramways of steam, mechanical, or animal power by any such general Act as aforesaid."

33. I think most of the remaining provisions of this schedule apply to mechanical questions, do they not?—They do, most of them.

34. I do not know whether you feel competent to enter into that question, but I should like to ask you, generally, at all events, some questions as to some of the points raised, and first as to the brake power. The Committee of 1877, I think, made some suggestions as to brake power?—They did.

35. Do you, speaking as the representative of the Board of Trade, hold by the conditions then laid down, or has anything occurred since that report to qualify or amplify those conditions?—The only reason why the Board of Trade have not put in specific provision with respect to brake power is, that it is found as a matter of fact that the makers of the engines and the companies always provide ample brake power for their own purposes, and therefore it has not been thought necessary to make any special provision.

36. But there is a provision in the schedule for brake power on engines?—There is; but I think that the Select Committee of last Session did not recommend self-governing brake power; I think what they recommended was, that there should be "ample brake power." Our engineers advise us that a self-governing brake power is desirable; that is to say, that the engine and the brake

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brake should be so constructed as that when it runs at above a certain speed it should put on the brake itself and stop the car; and that, I believe General Hutchinson will tell you, is found to act perfectly well.

37. That is taking security for a maximum speed?—Quite so; which maximum speed is somewhat higher than that which, according to the bye-laws, a tramway is allowed to use.

38. But it would be the interest of the company, of course, to put on efficient brake power?—Yes, they are liable for accidents.

39. The remainder of these clauses deal amongst other things with speed indicators and speed recorders; am I right in saying that whilst it is very easy to get an instrument which shall record the number of miles travelled, it is a very difficult mechanical problem to decide by means of a speed indicator at what rate the engine is actually going?—General Hutchinson will explain that to you much better than I can; but that is a point which at present is at issue between the Board of Trade and the Vale of Clyde Company. They have not yet succeeded in getting a proper speed indicator; whether they will be able to do so or not is a question.

40. Is there any other remark that you would like to make upon these clauses in the schedule, before we come to the bye-laws?—I should like to say, with regard to them all, what I said at the beginning: that the Board of Trade feel very strongly that this is thoroughly experimental, and that what they want is more experience before they can lay down any code of rules that is sure to be lasting, and with that view these clauses are framed so as to enable the Board of Trade (it is a very large power) to withdraw these bye-laws and substitute others if they should find it necessary.

41. In such a very experimental matter as the application of steam to tramways, I suppose it would always be the case that the bye-laws or regulations would have to be of a very elastic character?—They must be so.

42. In that Bill that was introduced last year, founded upon the Report of the Select Committee, in which power was given for provisionally trying steam, how was it stated that the sanction should be withdrawn if it was found to be detrimental to the public interest?—The Bill last year was not founded upon the Report of the Committee in the sense of adopting the regulations which the Committee proposed. It followed the proposal of the Committee in recommending experimental trials; but the license which the Board of Trade were to be empowered to grant under that Bill was only to last for a period not exceeding a year, so that it was in its very essence experimental, and the Board of Trade were to have power within that period to suspend or revoke the license.

43. Have all the trials of steam which have taken place on tramways been under authority?—No; there have been, as we know unofficially, trials of steam at Leicester, at Belfast, and I think at Edinburgh, none of which, so far as we know, are authorised by law. There has been another case at Oystermouth, near Swansea, where a tramway company which, so far as we know, is not authorised to use steam, has bought an old tramway, a tramway constructed in 1804, I think, and has, without any license, used steam upon it, and we have loud complaints from the neighbourhood of the nuisance which the use of this steam creates. There the tramway is, as we understand, not constructed upon the road but by the side of the road, and the engine running alongside the road is found to creat a nuisance; but that is a matter over which we have no authority, for it is a tramway not constructed under the Act of 1870, but constructed 70 years ago.

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44. Are they running without power?—As far as we know at present; but whether they can be stopped or not would probably depend upon their being a nuisance or not at common law. I am not aware of any Act that absolutely prohibits them from using steam in such a case.

Admiral *Egerton*.

45. They are not on the highway, I think you said?—No; so far as we understand they are on a slip of ground by the side of the highway. It is a tramway which they have bought; there are a great number of mineral tramways made in South Wales.

46. Can you give us some clear idea of the operation of railway locomotives on roads; because if a tramway runs by steam by the side of a high road, it comes very near the question of the use of locomotives over a road?—It does come very near to it.

47. How would the general Acts affecting locomotives on roads affect steam applied to tramways in such a condition as that?—I do not think that they would affect that question, because the Acts that relate to locomotives on road, relate to the use, principally, of the heavy traction engines and agricultural engines on the ordinary roads of the country; and they are obviously framed with a view to that traffic, and not with a view to light traffic. But there was a Committee on that subject some years ago, which you will find referred to in the report of last year, and that Committee went very fully into the question of the use of locomotives on roads.

48. Then those locomotive Acts would not affect this question?—I do not think they would affect the question either of tramways upon roads or of tramways by the side of roads.

49. It appears that there is a difference in the law as between England and Ireland affecting tramways; could you state what the condition of the law is in Ireland, or what are the differences between the two?—Both Ireland and Scotland obtained Acts facilitating the construction of tramways about the year 1860, before there was any such Act in England. The Scotch Act has never, I believe, been made use of, and Scotland is now subject to the same law as England. The Irish Act of 1860, the 23 & 24 Vict. c. 152, gives power to make tramways after approval by the Grand Jury, or the principal authority, and by the Lord Lieutenant; and the order which the Lord Lieutenant makes upon the subject has to be confirmed by Act of Parliament. That Act provides that animal power only shall be used. There was an Amendment Act in 1861 which shortened and simplified the inquiries; and it provided that no confirmation of the order of the Lord Lieutenant should be needed where there was no appeal from it. Then there was a further Amendment Act of 1871, 34 & 35 Vict. c. 114, which provided that the Grand Jury and the Lord Lieutenant between them might allow mechanical power upon tramways in Ireland. It provided also for inspection by a Board of

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of Trade engineer before the tramway was opened; it made certain provisions concerning the escape of steam, and it provided that the speed should not exceed six miles an hour in the country, and three miles an hour in town. That last provision would, of course, be fatal to the present applications; they would none of them be content with six miles an hour upon country roads, and three miles an hour in towns.

50. Am I right in saying that the Tramways (Ireland) Act, 1860, authorised the Lord Lieutenant by Order in Council to sanction tramways under certain conditions, and that that was confined to animal power only?—Yes.

51. But by the Act of 1871, the limitation as to animal power was removed?—It was.

52. But the Act of 1871 would not enable the Lord Lieutenant to make any order in relation to tramways which had already received Parliamentary sanction; it did not refer to existing tramways, but only to tramways which should be made thereafter?—I think that was so.

53. Therefore the Lord Lieutenant is now empowered to sanction, as regards future tramways, the use of steam?—He is; but subject to the condition that I have mentioned; he has power to regulate the speed, but with a special clause that the speed is not to exceed six miles an hour in the country, or three miles an hour in the town.

54. Is it advisable that the Scotch, Irish, and English tramways on which steam is applied, should be all under the same conditions?—I should think it is very desirable that they should be all under the same conditions. The reason for not placing Ireland under the Tramways Act, 1870, was that Ireland appeared at the time to be satisfied with its own Tramways Act, and made no application to be placed under it; and on the whole it appeared that they did not wish to have the English Tramways Act applied to them. Scotland, on the other hand, wished to have the English Tramways Act applied, and that was done.

Mr. *Maurice Brooks*.

55. Was there at that time any project for a tramway in Ireland?—That is more than I can tell. We know very little about the Irish tramways, because they do not come before the Board of Trade.

56. Was there any tramway in operation then?—That I cannot say.

Chairman.

57. Then, in short, the result of your observation, is that it is very difficult to lay down rules which shall be of certain application in the case of steam on a tramway: if that is your view, is it in your opinion reasonable or unreasonable to reserve a power of withdrawing the sanction to steam, if in the course of its operation it should eventually prove detrimental?—I do not think that such a condition would be at all unreasonable. I have myself very little doubt that steam will prove successful, and that the promoters will get over the present difficulties; but things are uncertain, and it is very desirable to have stringent conditions to prevent a nuisance in case of failure; more especially because it is not like a case where people are obliged to advance a very large amount of capital in order to construct costly works; here it is only the expense of the steam engines and

Chairman—continued.

the cars that is thrown away, if the thing fails to succeed.

58. You do not think that, with our present knowledge, it would be possible to give unlimited leave, subject to certain stringent conditions, but you consider that it would be necessary to reserve a power of withdrawal?—The powers in these clauses to make conditions are so stringent that I do not think any permanent evil could arise under them; because at the worst, conditions could be made such as to prevent a nuisance, and, if it were impossible to comply with those conditions, then the power could be withdrawn under the clauses as they stand. But I do not say that it would be unreasonable to add a special condition to the effect that the power to use steam should be capable of being withdrawn altogether.

59. Is there any other point that you would like to mention in your evidence in chief?—I think not.

Sir *Graham Montgomery*.

60. Do you think that there should be any restrictions as to the number of carriages that should be attached to the steam car?—There is no restriction at present here.

61. Do you think that that would be a desirable condition to impose?—At present I do not think that they have ever tried to drag more than one carriage. It might be necessary to impose a condition of that sort, but in any experience that we have yet had, there has not been occasion for it.

62. With regard to tramway companies being allowed to take goods on their tramways, has that occurred to you as a condition which should be put in the restrictions?—If the traffic will allow of it, I can see no reason why they should not carry goods. It is very possible that these tramways may in the end be feeders to railways; it would then be very desirable that goods should be carried along them as well as passengers; and I should think that the carriage of goods on the tramway would be quite as little impediment to public traffic as the passage of heavy vans with goods through the streets.

63. Of course in a case where a tramway company proposed to do such a thing, it will be a fair ground for a railway company to be allowed to appear and have a *locus standi* against it?—Quite fair.

Chairman.

64. Has any application been made by existing tramway companies for leave to carry goods?—Almost all of them have schedules of rates for goods, and some of them I am told do carry goods; but the representatives of the companies will give you that information better than I can.

65. Do the Metropolitan Tramways carry goods?—No, not the Metropolitan Tramways.

Mr. *Maurice Brooks*.

66. Is it perfectly clear that the valuation of the tramway at the expiration of 21 years shall not be a Stock Exchange valuation?—I will refer you to the section; Section 43 of the Tramways Act, 1870, which does not apply to Ireland, provides that after certain conditions are complied with, the promoters shall sell to the local authority their undertaking, "or so much of the same as is within such district, upon terms of paying the then value (exclusive of any allowance for past or future profits

Mr. *Maurice Brooks*—continued.

profits of the undertaking, or any compensation for compulsory sale, or any other consideration whatsoever) of the tramway."

67. That clearly excludes a Stock Exchange valuation?—Certainly.

68. Can you say what is the basis of valuation of tramways for rating purposes; are there exemptions, such as are extended to railways?—I speak under correction, but I think the principle of rating tramways is very much the same as that of rating railways; but my knowledge of it is only derived from books.

69. Where could we obtain that information precisely?—I think that the book which I hold in my hand, and which I believe is an authorised book, "Sutton on the Tramways, and Tramway Acts of the United Kingdom," gives you the principles. The rating question does not come under the cognisance of the Board of Trade in any way, so that I am able to give no official information upon that subject.

70. In your opinion, would it not be advisable to have such stipulations with promoters as to the fares at which passengers may be carried as are applied to railway companies?—The fares are always determined in each Bill or Provisional Order. It is desirable to make those terms, but they must be made in each particular case. It is impossible by any general Act to regulate fares of that kind, circumstances differ so much according to the quantity of traffic carried, and according to the expenses to which the promoters are put, that it is very difficult to frame any general tariff; and then the experience of railways shows that it constantly happens that you may fix a tariff which, at the time when it is fixed, is a very fair one to the public or to the railway company, as it may happen, but that circumstances change so as to make those rates very inapplicable; and, as we know, the railway companies' fares are generally very much under the statutory maximum. I only mention all this as a reason for thinking that you cannot, by merely stipulating as to the amount of fare in the Bill or the Provisional Order, provide for what we have been anxious to provide for, namely, that the promoters shall pay their fair share of new profit to the public.

71. The Act of 1870 does not provide any stipulation for preventing exorbitant fares, does it?—No; for the reason that I have given, it was found impossible to make any specific arrangement for that purpose in the general Act; that is left to particular Orders or Acts.

72. And it does not contain any stipulations for the interchange of traffic on conterminous lines?—No; that question had hardly arisen.

73. Do you think it desirable that such powers should be created?—It is a new point to me; but it occurs to me at the first thought of it, that it might be a very reasonable thing to make the tramway companies, for that purpose, subject to the Act ordinarily known as Lord Cardwell's Act, the Act of 1854, which compels railway companies to exchange traffic and to forward traffic brought to them by another company, and to the Act which enables the Railway Commissioners to enforce that Act.

Chairman.

74. That would touch the question of gauges; if there is to be an interchange of traffic, I suppose the gauge would have to be the same as that of the railway into which the tramway ran?—Of course carriages could only be interchanged where the gauge was the same.

Chairman—continued.

75. As a general rule I believe the tramway gauge is the same as the railway gauge?—As a general rule it is the same; but I believe that in most cases the tramway rails are not such that you could put a railway carriage upon the tramway. You would not, of course, by applying Lord Cardwell's Act to tramways, compel a tramway company to alter its gauge for this purpose; all that you would say is: "You must give such facilities as you can, with your existing arrangements, for forwarding traffic." I was rather thinking, when the honourable Member suggested the thing to me, of such a state of things as exist in Paris, where a man may be carried by omnibus from any one part of Paris to any other point with a single ticket.

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Mr. *Maurice Brooks.*

76. Are you aware that in Dublin there are tramways running over a space not exceeding a mile, the property of three companies, who each charge a separate fare the short distance which a passenger may be carried?—I daresay that that is so, but I am not aware of the fact.

77. If that be so, would it not, in your opinion, necessitate a change in the law?—It would be very desirable either to induce or to compel the companies to make some arrangements between themselves for conveying passengers from one end of the line to the other with one ticket.

78. Would you compel them to do so by statute?—I see no hardship in compelling them to make some arrangement with each other; it seems to me to be within the principle of Lord Cardwell's Act.

79. Are there any stipulations in the general Act which protect the passenger public in the matter of short distances; that is to say, which would prevent a tramway company from charging as much for a quarter of a mile or half a mile distance as they may charge for a four-mile distance?—I think that is left to be provided for in the special Act.

80. Do you mean by "special Act" the local Act?—Each tramway is authorised by its own Act or its own Order, and the tolls are left to be arranged in those Acts or Orders; they are not dealt with by the general Act.

81. Then if the local authority fails to make such a stipulation for the protection of the passengers, the companies are now empowered to impose such fares as I have mentioned, that is to say, to charge the maximum fare for the shortest distance?—That would depend upon the terms of their special Act; and no doubt if the local authority and the local public fail to make a remonstrance at the right time, when the Act is passing, they will have to pay the charge authorised by that Act, whatever it is.

Chairman.

82. But would it be within the competence of this Committee to settle the rates or tolls which are hereafter to be charged when a steam tramway company is created?—I think it would be quite impossible to do so by any general legislation.

83. Would it be possible to lay down any general rule which would cover cases such as the honourable gentleman has suggested, or would it not be better to leave it to the local authorities?—I think that it must be left to the special Act.

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84. But in the case of the Dublin Tramways Companies, who now charge 3 *d.* for carrying the short distance of a quarter of a mile, and who were not thought to be influenced by the local authority when they were obtaining their Act, do you not think it is necessary that, to provide for such an oversight on the part of the local authority, and in the interests of passengers, the law should be amended?—It is a subject which has been very much considered in the case of railway companies, and it has always been found impossible *à priori* to fix the tolls and rates of the railway companies generally, or to interfere except by private Act, when the companies come again before Parliament with the maximum charges which have been once given to them.

85. Do not the general Acts provide for Parliamentary trains on a railway?—Yes; I am afraid that if I get into that subject, it will be a very long one; but a Committee sat upon that subject a short time ago, and I think if anything was proved before that Committee, it was that those Acts with regard to Parliamentary trains had broken down altogether, and that the poorer class of passengers would have been better off without those Acts than they are with them.

Mr. *Pemberton.*

86. You have alluded to the difficulty that there is in distinguishing between town and country roads and streets; do you not think that that difficulty would be got over by forming say three or more schedules, each containing separate bye-laws, applicable to the different circumstances, and the Board of Trade settling under which of those schedules each particular tramway should be placed; or, perhaps better still, the Board of Trade have the power to say which of all the bye-laws should be applied to each case?—That is the course that we should prefer, finding how infinitely the circumstances differ, and how very severely any hard-and-fast line tells in particular cases.

87. You think that would be better than leaving it to this Committee, or to the Committee before which any Tramway Bill might come, to define these particular bye-laws?—Yes; at the same time I think you must leave it open to the Committee before which any particular Bill may come to make any special rules which that particular case may require. I do not think that you must exclude any restrictions which they may find it desirable to impose in a particular case.

88. For instance, they might recommend or actually impose a certain specified bye-law in the particular case besides such bye-laws as the Board of Trade might think necessary?—Yes; but the whole thing is so tentative, that I think they would find it difficult to do that as a hard-and-fast thing for ever. I think you must still have the power to alter.

89. I am rather putting this case with the view of getting rid of so hard-and-fast a line, and leaving it to some authority to say which particular bye-law should apply to some particular case?—Yes; I think you must leave it open in some way.

90. That authority being either Parliamentary or departmental, or both?—Yes, possibly both.

91. I think you said that it was the principle of the Government to leave it as much as possible to the local bodies to make these tramways.

Mr. *Pemberton*—continued.

Do you not think that there might be some difficulty, in cases where tramways were made by local authorities, with respect to the repair of the roads; because I imagine that in many cases the local authority is also the road authority of the district?—That is so. In that case perhaps that is the best way in which the thing can be done. The authority which has the control of the roads and the mending of the roads in its own hands makes the tramways; it consequently may be supposed to provide for both objects as well as they can be provided for. In such cases the local authority leases the tramway, or the use of the tramway, to a company for the purpose of running carriages upon it, and then no question arises between the two authorities as to mending the road, because the local authority maintain the road themselves.

92. But there might be a conflict of interest, might there not, as they are proprietors of the tramway?—Then they must provide for that in their lease; but they have it all in their own hands then.

93. You do not anticipate any difficulty of that kind?—No; the great difficulty is where the road continues to belong to the local authority and the tramway belongs to the tramway company.

94. Has the desirability of placing tramways generally under the jurisdiction of the Railway Commissioners been under your consideration at all?—The principal thing which the Railway Commissioners would do would be to enforce the forwarding of traffic, and to enforce the equality of treatment of traffic; all the principles which the Railway Commissioners are authorised to enforce are very just principles, and I see no reason why they should not be applied to tramways as well as to railways.

95. And, of course, you see no reason, therefore, why the Railway Commissioners should not have the same power over tramways as over railways?—Without having thought over every detail, it seems to me a very good suggestion.

96. Would that facilitate the management of the tramways considerably, in your opinion?—I think so.

Mr. *Bates.*

97. Supposing, for instance, that a tramway company had a certain place to start from and a certain place to go to, the intervening distance being say six miles, do you not think it would be very hard upon them if you were to make rates for quarter-mile or half-mile passengers, inasmuch as at the starting point they might be compelled to take these quarter-mile or half-mile passengers to the exclusion of passengers who wish to go the whole distance?—I think you cannot lay down any *à priori* rule of that sort in any general Act; you must leave it to the special Act to deal with the tolls and rates according to circumstances.

98. For instance, you might have your tramway filled with half-mile passengers, and exclude the passengers that were going the full distance?—That is to say, if you require them to take the short-distance passengers at a lower rate.

99. Of course: most likely the rates would be for two or three mile passengers, and that would be quite right; but when you come to quarter-mile or half-mile passengers, do you not think it would fall very hardly upon tramways if you made

Mr. *Bates*—continued.

made a rate in proportion to the distance travelled?—Yes, I think so. I think it is contrary to principle to require a short distance to be paid for at a lower rate than a long distance. The general rule is the other way; that for a very short distance you charge somewhat more in proportion than you do for a very long distance.

100. But supposing, I suggested, the case of a quarter-mile or a half-mile passenger; perhaps he would have to pay 1 *d.*, and he might exclude passengers who would have had to pay 6 *d.*; but if a three-mile passenger had to pay 3 *d.*, then perhaps it might work just the same as in the case of the omnibuses?—Yes; I think you must leave these things to be settled as circumstances may require in each case.

101. You say that you have never had any application to have two or more tram carriages coupled together?—The cases are so very few that we really have had no experience as yet. Except the cases of the Vale of Clyde and Wantage tramways, there are no steam tramways that we have inspected; but I know that in Paris they have been running for two years, and they have only one carriage attached to the engine.

102. Do you not think it very likely that if tramway companies are allowed to use steam power they will put more than one carriage on?—It is possible.

103. Then do you not think it will be necessary to impose some limitation on the number of carriages; because, in going down hill, for instance, a large weight behind must operate upon the engine power?—Yes; I suppose that they must put brakes to all the carriages; but I can conceive that it would be desirable to make a rule against their running long trains in the streets.

104. At Paisley, the other day, where the engine was mastered by the weight of the carriages, there was an accident, and they could not stop it; if they had four or five carriages behind one engine, as a matter of course there would be great danger?—A long train of carriages following one another with no interval between them is always a nuisance in the streets.

105. You said that some company at Swansea had purchased an old tramway; was it an old tramway or an old railway?—An old tramway.

106. What was it used for previously; did not an engine run upon it with coal trucks?—I think not; it was worked by horse-power only, so far as we are informed at present.

Mr. *Bates*—continued.

Mr. *Farrer.*

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Mr. *Pemberton.*

107. I suppose the difference between tramways and railways generally is in the formation of the iron rail, is it not; one is a hollow rail or tube, the wheel running in the groove instead of running, as railway carriages do, on a flat surface with a flanged wheel?—Yes; but I am not sure that that applies to all tramways and all railways; I do not know that there is any absolute line to be drawn between them.

Chairman.

108. As to the difficulty of deciding with regard to the different conditions to be applied to tramways in town and country, I suppose you would not see any difficulty in drawing up certain, *à priori* conditions to apply to town and to apply to country, and then, if the case was a difficult one, modifying the conditions so as to meet the particular circumstances?—Yes, I think that might be done.

109. Therefore the conditions in Schedule A., you think, might be generally applicable as a guide to the department?—Quite so. We have left the speed blank in these conditions; probably the speed in a town and the speed in the country would be different; you would probably allow a greater speed in the country than in a town.

110. Has the Board of Trade granted any Provisional Order authorising the use of steam on the Wrexham District Tramway?—The Wrexham District Tramway is a case now before us; it is one in which the Board of Trade will probably make the Provisional Order.

111. You will await the conditions, if any, which this Committee will lay down?—Yes.

Mr. *Denis O'Conor.*

112. In the Swansea case, I suppose, there are no rules at all regulating the traffic?—So far as I know, there are none.

113. Is there no power of interfering with it?—I should think, from the statements that have been made at the Board of Trade lately, that it might be stopped as a nuisance; but we have no jurisdiction. They have a Bill in Parliament upon the subject this Session.

Major General CHARLES SCROPE HUTCHINSON, R.E., called in; and Examined.

Chairman.

114. You have been for 11 years Board of Trade inspector of railways, have you not?—I have.

115. A report has been laid before the Committee on the Vale of Clyde Tramways; we should be very glad to hear your own observations and comments upon that Report, if you feel competent to give them; our object being to ascertain whether anything new has occurred which modifies your views in reference to tramways since you gave evidence before the Committee of 1877?—I was directed by the Board of Trade to visit the Vale of Clyde Tramway, and report to them upon the working of the steam engine or engines which had been sanctioned provisionally for use there. I went down and paid an unexpected visit, and I watched pretty narrowly the working of the engines during three periods of the day; and I found that there were seven engines running altogether, and that they were behaving fairly well, although there was more noise and more emission of steam than was perfectly right. I also found that their average speed was exceeding what had been permitted by the bye-laws.

Chairman—continued.

Major Gen. *Hutchinson*, R.E.

116. What is the country through which the Vale of Clyde runs?—It runs along a street the whole way, lined on each side by houses and shops.

117. Where is the Vale of Clyde?—It is a suburb of Glasgow; the street runs parallel to the river Clyde.

118. What

Major Gen. *Hutchinson*, R.E.

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Chairman—continued.

118. What is the length of the tramway?—The length of the tramway which is worked by steam is a mile and a half.

119. Is steam the only motive power used?—Steam is the only motive power used at present.

120. I believe last year there was another motive power used?—They tried for a short time, I believe, the Moncrieff compressed air engine, but I never saw it working on the Vale of Clyde Tramway.

121. Is it a double or a single line?—It is a single line.

122. What is the width of the street?—It varies from 30 feet down to 22 feet, or 20 feet perhaps in places, but I cannot speak quite accurately. It is not what you would call a very narrow street, nor is it a very wide one. As I was saying, I found that the rate of speed somewhat exceeded, viz., by about a mile and a half an hour, that laid down by the bye-laws. That was the rate of the average speed running from one end to the other. Of course there might occasionally have been a higher speed than that to maintain that average; and I understood, although I did not see it myself, that on Saturdays, when the traffic was very heavy and a more frequent service was required, the speed was even still further in excess of that permitted by the bye-laws, because there were only a given supply of engines, and they were obliged to be run more quickly in order to carry the traffic that presented itself.

123. How were these bye-laws drawn up?—They were drawn up by the Board of Trade.

124. Did they include the regulation as to the rate of speed?—Yes.

125. Is there anything about the rate of speed in these bye-laws?—The rate of speed is left blank in these bye-laws. On the Vale of Clyde, I think it was eight miles an hour; and from the observations which I made, the speed was up to 9½ miles an hour; and I was told by the officials of the company without any concealment, that they were obliged to exceed that speed still further on Saturday.

126. What are the gradients?—There are no gradients at all; I think it is almost flat. It is parallel to the Clyde, and there are no hills occurring. The speed was not to exceed eight miles an hour; and on passing through moveable facing points, it was not to exceed four miles an hour.

127. When were these bye-laws drawn?—On the 1st of February 1877.

128. Upon what experience were they founded?—There was no experience to found them upon; they were tentative more than anything else. I should mention that these cars are fitted with a self-acting mechanical appliance for controlling the speed and applying the brakes, which, as far as I could gather, appeared to be acting well. There were no complaints about it. The cars were also supplied with a speed indicator, a kind of clock face which showed by a hand the rate at which the car was travelling; that also appeared to be acting with tolerable exactitude. The cars were not supplied with a speed recorder as they had been originally, for it was stated that it had been found very difficult or impossible to make the speed recorder work satisfactorily.

129. I was under the impression that the speed indicator was the more difficult mechanical contrivance?—So one had understood; but the

Chairman—continued.

engine builders apparently do not find the same difficulty with the speed indicator that they do with the speed recorder. At any rate, these engines have had the indicator all through the time, and with tolerably satisfactory results. The recorder, as I said before, was abandoned, after about a month's trial, on the plea that they could not get it to work.

130. Which would be the more valuable safeguard in the public interest, the indicator or the recorder?—The indicator is a tell-tale to the engine driver, whether he is exceeding the proper speed; the recorder is more particularly for the use of the police, that they may have a record of the journeys in the case of accidents occurring, and be able to ascertain the speed at which the tramway car was running at or about the time at which the accident occurred. These engines had also been ordered to be fitted with a special bell for warning persons or vehicles to get out of the way, but the use of this bell had been strongly objected to by the inhabitants, and the company had taken it upon themselves to fasten the bell up, and were using merely a whistle in the ordinary way that tram-cars give notice of their approach, and which was found sufficient for the purpose.

Mr. *Pemberton*.

131. Was the bell continuous?—The bell was intended only to be rung to clear the road, but they had fixed it badly, and it was always jingling, and no doubt it caused a great nuisance along the road. This is not a point of any very great importance; it was only thought desirable, when the rules were framed, to have something more special for steam cars than an ordinary whistle, which might not be recognised and attended to. Then I observed, also, that these steam engines were running with the door enclosing the engine open, and not closed, so that the fire might, under certain circumstances, especially at night, be visible; this was not according to rule. I suppose that they could not get sufficient draught if it was closed.

Chairman.

132. That was, of course, contrary to the bye-laws?—It was. Those are the principal things which, I think, occurred in the running of the engine. I also had an interview with the police authorities, and obtained from them a record of the accidents which had occurred on the tramway since the steam cars had been running. There had been altogether nine accidents.

133. In what period?—That was, I think, from August to February. Of those accidents, two had not then been investigated. Of the remaining seven, in three cases the drivers had been convicted of careless and reckless driving, and in the other four cases the parties injured had been themselves held blameable. The superintendent of police told me that, in his opinion, for police purposes, a speed recorder would be a most valuable addition to the engine, because in almost all these cases there had been great dispute as to speed, the public contending that the speed had been, perhaps, 15 miles an hour, and the servants of the company saying that it was not more than five miles an hour. He also told me that shortly after the cars had first started running, there had been great trouble with them, owing to want of proper attention;

Chairman—continued.

attention; but the superintendent had been changed, and they were in a much more satisfactory condition at the time I visited the Vale of Clyde than they had been previously. That is the result of my experience of the Vale of Clyde tramways.

134. Have you visited any other tramways with steam upon them since the last report?—I have, but the result of my observations was included in a paper which was appended to the evidence last year; that was as to Paris, Wantage, and Loughborough, and also Leytonstone on the North Metropolitan Tramways.

135. I suppose your experience of the Paris tramways gave you a good opportunity of coming to some conclusion as to the bye-laws?—It did.

136. I believe there has been a temporary suspension of the use of steam on the Paris tramways; but that was owing to something quite independent of the working of the company?—That I was not aware of.

137. It is stated on good authority that the differences were only some difference between the contractors and the tramway company; and that the suspension does not arise from any objection on the part of the authorities?—I think the use of steam was only sanctioned tentatively and provisionally when I was there. I do not know that it has definitely sanctioned.

138. For what period of time were they sanctioned?—I do not know what the period was, but the authorities had not given their final sanction when I was there; the use of steam was still considered, as far as I understood, as an experiment.

139. What length of tramway was being run over with steam?—They were then running over a length of three miles.

140. And the tram companies were willing to apply steam simply for a limited period, subject to an entire revocation of their powers?—Yes, I imagine so; I am pretty sure that the authorities of Paris had not given a final sanction, although they had expressed themselves well satisfied with what had been done.

141. As the material which we have before us are chiefly the bye-laws laid down by the Board of Trade, I think it would be useful if you would go through them shortly, and state your opinion as to whether any alteration should be made in them, or whether you think them generally fairly applicable. The first point that arises is the difficulty of making a distinction between a street and road; do you think that the conditions could be framed in such a way as not to be too general, but to be applicable, subject to modification in particular instances, so that a fair distinction could be drawn between a street and a road?—I am afraid it would be a very difficult matter. It is a definition the want of which we have felt very frequently, and I have often called attention to it; but I have never seen my way to be able to frame a Parliamentary distinction between a street and a road.

142. Do you think that the distinction which is drawn in the first, second, and third paragraphs of the bye-laws is one that could be practically acted upon, and would be useful when schemes come before you? I think it is a question more of width than of anything else, except in certain cases where there are no houses or shops along one side of a street or road there might be some exception made.

Chairman—continued.

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143. The width, of course, would be only one of the elements?—It is only one of the elements; but that again is a very difficult matter, because it is impossible to say that a frontage which now exists without any shops or houses will not in the future have some. For instance, in laying a tramway along the side of a road where there is such a frontage, it might be very hard upon the owner in future, because it might prohibit him from erecting houses on the frontage if he wished to do so.

144. That applies to existing tramways too?—No doubt; but in some cases where tramways are carried by consent along a frontage which does not at present possess any houses or shops, it does not follow that in the future it may not possess them, and it might be a hardship.

145. Should you lay down any condition as to the tramway being in the middle or at the side of the road if steam is applied?—I think if steam is applied to tramways, the general condition should be that the tramway should be in the centre of the street or road if it is a single line. In the case of a double line, the centre of the space between the two lines should occupy the centre of the street or road.

146. Is that stated or implied in the bye-laws?—It is not stated; it is in the General Tramways Acts of 1870. But although that would be the general rule, I think it might be well to give a certain power deviating from that rule under specific circumstances, and not to lay down a perfectly hard-and-fast line.

147. In fact, I imagine that there would be none or very few of these regulations which you wish to see established as a hard-and-fast rule?—No; but as a general rule of course the centre of the street is the most suitable place.

148. I think you stated in evidence in 1877, that there were three things of great importance as mechanical appliances in reference to the engines and the cars; and those were a speed governor, a speed recorder, and a speed indicator?—Yes.

149. You lay great stress, do you not, upon the necessity of having the governor out of reach of the manipulation of the engine driver?—Yes, out of his ordinary reach. It must be able to be reached by the man when the engine is in the sheds, of course, but it should be out of his ordinary reach. The idea the inspecting officers have about the matter is, that if you have a drunken or a reckless driver, he should not be able, without great difficulty, to tamper with the speed governor.

150. The object of that speed governor would be to let off the steam by an automatic process, if a certain speed were exceeded, would it not?—Yes, either to cut it off, or to let it off, and to apply the brakes.

151. Would you not allow the engine-driver to apply the brakes?—He would either be able to apply the brakes himself, or they would be applied automatically. I think I had better state that I have received a communication from an experienced firm of locomotive builders, who are now engaged in tramway engine construction, and to whom I referred the question as to whether they anticipated any serious difficulty in applying speed governors to tramway engines. I will read what they state, if you will allow me to do so. There is a preamble with regard to clause 2, specifying that an engine should possess a speed governor, and they remark as to this: "This presents no insuperable difficulty, and we have

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complied with its terms by designing an arrangement of governor on one of the axles working a friction clutch, a chain from which shall engage a lever on brake and regulator shaft. It is at the same time impossible for a driver to render this inoperative, but he can increase the brake pressure at will. The apparatus is adjustable to any desired speed." Then they go on to say: "We have never been able to see any actual necessity for this principle being carried out in practice, or any advantage justifying the additional complication and cost involved, simplicity and non-liability to derangement being leading considerations."

152. That is, as regards the governor?—That is, as regards the governor; so that I have no doubt, from what they state here, that they consider it perfectly feasible; in fact, they have done it; and they are a very eminent firm of engine-builders, who, I am sure, would not state that they could do it if they were unable to do it. Then they go on to say: "Working arrangements as to time, and where there is much single line, accuracy at passing places, as well as police supervision, all tend to make excess of speed difficult, and, so far as the crowded portion of streets are concerned, the speed will in all cases be greatly below the maximum at which the apparatus takes effect." Of course that is perfectly true; but it seems very desirable to guard against any recklessness on the part of the driver. One knows that occasionally, even on railways, you get drivers who are not quite what they should be, getting drunk, or becoming reckless from other causes, and the men who would be employed on tramway engines, I apprehend, would be an inferior class to those employed on railways, so that there will be all the greater need, I think, for introducing, if possible, some mechanical means of guarding against improper conduct.

153. Am I right or not in saying that the danger from the recklessness of the drivers would be considerable enhanced by very steep gradients?—It might be, no doubt.

154. What is the steepest gradient on which a tramway exists in this country?—I think the steepest gradient is about 1 in 14.

155. Is that in Edinburgh?—No. I think there is a steeper gradient, though only a short one, at Birkenhead, leading from the Woodside station up to the road which runs from it.

Mr. *Pemberton.*

156. That, at present, is not worked by steam, is it?—It is not. Steam has been used upon that tramway experimentally, but it is not used there regularly. I am not sure whether any of the Edinburgh gradients exceed that, but I do not think they would. It is a very severe gradient.

Chairman

157. Would it be necessary, in drawing up these conditions, to have in our mind any gradient of exceptional severity going either up or down?—In going down, if the speed was over the allowed speed, the governor would come into play and apply the brakes if the driver did not do it himself.

158. These are rules of general application; can we lay down general rules which should be applicable in the case of excessively steep gradients, or do you think that in those cases special regulations would have to be made by the Board of Trade?—It should be left, I think, to the Board of Trade, in all cases, to decide at how much in excess of the maximum speed to be allowed on the tramway the governor principle would come into force, and there might be a greater margin in the case of steep gradients than in those cases where the lines are tolerably level; but I think that is a matter of detail.

159. You think that need not be included in these general regulations?—No; I do not suppose that it would be desirable to include that. If the governor principle were adopted, it would probably be better left to be decided by the Board of Trade according to the merits of each case, at what extra allowance over and above the maximum speed on the tramway this restrictive power should come into operation.

160. You think that the exceptions are so general as not to be able to be covered by any rule that we could lay down?—I do not think it would be necessary. With regard to the point as to the speed recorder, this firm of locomotive builders do not go into that; they do not seem to anticipate any difficulty in constructing it, only they do not think it necessary.

161. You do think it necessary?—We think that in the interests of the public a speed recorder is a most desirable appliance to have attached to these engines, and that the speed indicator is desirable for the purposes of the engine drivers.

162. Are you able to state whether there is any tramway or railway where both a speed indicator and a speed recorder are in use?—No, there is not. The only case in which a speed indicator is in use is on the Vale of Clyde tramway, and there it works tolerably satisfactorily.

163. I think on the American railways they have both those appliances?—I cannot speak personally as to that. They have, I know, a speed-recording instrument, but whether it is largely used or not I am not aware. With regard to the speed-recorder on the Vale of Clyde tramways, that was given up after what was to my mind a very insufficient trial, and was allowed to fall into disuse; it was not properly looked after, I am informed, and it fell into decay. After my visit to the tramway, last month, the inventor was sent down to look at the speed recorder, and it was again put in order, and seemed to have worked satisfactorily for some time; but it has again got out of order, simply, as he informs me, from the want of being properly attended to. This particular contrivance requires a clockmaker to observe its proceedings once a day, and to look to it to see that it is going all right; and the inventor says that if that is done he has no doubt in the world that its working will be perfectly satisfactory. Before the cars go out in the morning a mechanician (a clockmaker, as he expressed it,) *ought to see* that each recorder is in proper order; and if that is done, he says, there will be no difficulty about it.

164. Do you think that an unreasonable precaution to impose?—I do not think it is.

165. I understand that the speed indicator shows the speed at which the tram car is travelling at any given moment, and that the speed recorder shows the space traversed and the speed maintained during the journey; why should there be any more necessity for ascertaining, by mechanical appliance, the speed of a tram car than there is for ascertaining the speed at which an omnibus is going when there is an accident?—It seems to me that no reasonable means should be

Chairman—continued.

be neglected for controlling the use of so powerful an agent as steam, &c., when used in our streets or roads.

Mr. *Pemberton.*

166. Does it record the speed at each particular period of the journey?—Yes, at intervals of so many seconds. These (*producing a speed record, and explaining it*) are registered every ten seconds, and the number opposite represent the rate of speed, and by dividing this by six, you get the number of miles per hour. It is done by a clockwork management, combined with electricity; this was the record of the journeys of the car after the recorder had been put into order.

Chairman.

167. Then virtually this would answer both purposes?—Except that it does not show the driver the speed at which the car is going, which is very important.

168. At all events, it is your opinion that the use of the speed indicator and the speed recorder should be conditions laid down in any general regulations that might be made?—That is the opinion of the inspecting officers of the Board of Trade. Of course I do not speak for myself alone, but it is my opinion, and the opinion of my colleagues too.

169. I am asking you these questions as representing the engineering department of the Board of Trade?—I hope it will be understood that the bye-laws with regard to these mechanical matters were drawn up at a conference of the four inspecting officers of the Board of Trade.

170. We have touched, I think, upon all these conditions except the one that an engine shall be free from noise produced by blast or clattering of machinery, and that the entrance to the carriages shall be separated from the machinery; have you any remark to make with reference to that?—No, I do not think I have any remark to make with reference to that bye-law; it is a very reasonable one, I think.

171. These are the conditions as distinguished from the bye-laws. Turning to the bye-laws we see that certain spaces are left blank; do you think it would be possible to fill up the spaces by specifying a rate of so many miles an hour in a town, and so many miles an hour elsewhere?—No; I think it would be preferable to leave that to be decided according to the merits of each particular case.

172. The next paragraph is as to the speed at which the engines may pass through moveable facing points; would you have a rule laid down as to that?—I would have a rule laid down as to that, because otherwise you might have very serious accidents. You cannot manage steam-engines, in the same way as you can manage horses, so as to turn them one way or the other.

173. I understand that it was once contemplated that when the cars came to facing-points they should stop altogether?—Yes; but that was thought to be rather too onerous.

174. Those are the only remarks that you have to make upon the conditions and the bye-laws; if there is anything else that occurs to you, we shall be very glad to hear it?—I have nothing further to remark.

175. There are tramways which you have not specially inspected with regard to the scope of this Committee's inquiry, but I understand that you would be willing, for the convenience of the Committee, to inspect those tramways if the Committee thought it necessary?—I shall be most happy to do so.

Chairman—continued.

176. I think I may say that the Committee would think it very advantageous if you would examine the Leith, Leicester, Wantage, and Belfast tramways, with reference to any particular points which arise in these schedules and bye-laws, and as to what conditions it is necessary to impose in the interest of the public safety?—I will endeavour to do so. We do not always hear of these trials of steam at the Board of Trade; you are much more likely to hear of them in the Committee than we are at the Board of Trade. I did not know that steam was being used at Belfast. I will endeavour to find out, amongst other things, what accidents have occurred there.

177. Is there steam at Paisley?—No, there are are no tramways, I think, at Paisley.

Mr. *Bates.*

178. What was that accident which occurred the other day between Govan and Paisley, where the engine of the steam tram-car was mastered by the carriage, and the driver lost all control of it, and it ran down an incline?—I did not see the account of that; it could hardly have been on the Vale of Clyde tramway, because there are no ascents there. I do not think there is any tramway at Paisley; the nearest tramway to Paisley is this very Vale of Clyde tramway which runs through Govan.

Chairman.

179. I observe that in the bye-laws which the Board of Trade have drawn up, they have retained some clauses which had not been recommended by the Committee of 1877?—Yes, they are these mechanical appliance clauses, I think.

180. Do they only refer to the mechanical appliances?—I think so principally, but I have not compared them seriatim.

181. The Committee would like to know why those appliances have been retained though they are outside the recommendations of the Committee of last year?—The only ones I had anything to do with was the retention of the clauses relating to restrictive mechanical appliances; I think if they could be carried out without any great difficulty or any great expense, they would be very valuable from the point of view of safety to the public; and my feeling is that if they are not imposed, or endeavoured to be imposed, now, they never will be; if steam is now allowed on tramways without any restrictive appliances they certainly will never be got in the future, and therefore it is now or never.

Mr. *Bates.*

182. With regard to this speed indicator you say that it would be valuable for the police?—Yes, that is what they themselves think; I give you their own experience.

183. You say it gives the speed every ten seconds?—It can give it every ten seconds, or at any short interval.

184. Supposing that one of those engines was going 10 miles an hour, and supposing that they saw that an accident was likely to take place from some one crossing the road, would they not be going at the rate of three miles an hour within five seconds?—They might be.

185. What, in that case, would be the value of

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the indicator?—It would not record such minute points as that, but it would show you a very faithful record of the whole journey.

186. Then it would give you the speed at which they had been going ten seconds before?—Yes; it would give you the average of the ten seconds.

187. You named Woodside Ferry; do you know what the gradient is at Woodside?—My impression is that it is 1 in 14.

188. Do you think it is possible for an engine to go down that steep incline to the gates of the ferry?—Yes, I have seen an engine go up and down; it was Grantham's engine that did that.

189. Of course it would make a wonderful difference with a number of cars attached to an engine going down these inclines?—They could get down if all the cars had brakes on them, but they could not get up with one engine. It was as much as the engine could do to haul itself up, it was a self contained engine, the engine being contained in the car.

190. If each car had a break, you think going down an incline would make no difference?—If each of the cars had a brake they might go down with safety, supposing the brakes to be applied; but I do not think they could get up without more than one engine on.

191. You said that there would be a hardship in making a tramway along one side of a road where the opposite side was not built upon; do you not think that it would be rather the other way, and that it would make the land much more valuable?—No, because it is such an obstruction to the frontage.

192. Do you think that if a tramway went along a street, whether on that side or not, it would not make that vacant land more valuable?—Not in the way that I was thinking of it. It is often customary in tramways, along roads with no houses fronting, to carry them close alongside the pathway or the hedge as the case may be; then of course if that land is ever built upon afterwards, the tramway would obstruct the entrance to the doors of the houses or shops.

193. But you might put them further back?—Then you would require to widen the road to give access to them, otherwise, whenever a tram-car was running, any vehicle which was standing at the door of a house or shop would have to move out of the way to let the tram-car pass, and that becomes a great nuisance.

Mr. *Denis O'Conor*.

194. With reference to these accidents on the Vale of Clyde Tramway to which you have referred, do you know whether any of them occurred from horses being frightened by these engines?—No; I was not told they occurred from that reason.

195. I suppose there have been no records kept of accidents of that kind?—Not unless they have led to personal injury.

Mr. *Denis O'Conor*—continued.

196. Supposing that an accident led to personal injury, but that the tramway rules had been carried out so that the person in charge of the tramway had not been in fault, would it be treated as a tramway accident?—It would depend upon whether the person injured brought an action against the tramway company or summoned the driver.

197. You do not know as a matter of fact whether horses have been frightened by these engines?—When I was making these experiments, I myself saw one or two horses frightened, and some accidents very nearly occurred, but not quite.

198. I see in your evidence last year that you expressed a very strong opinion that horses will always be very likely to be frightened by steam tram-cars?—No doubt strange horses will be frightened by them; but when horses get used to the tram-cars they do not notice them.

199. Is there much traffic in those streets where the steam tram-cars run?—Yes, a great deal of traffic, but it is more cart traffic than carriage traffic. I do not know whether the Committee want any foreign information in addition to those tramways which have been mentioned.

Chairman.

200. The Committee will be glad to have any information that you think may bear upon the question, whether general conditions should be imposed in the interest of the safety of the public. If, in the course of your inquiries, you find that any new matter, which you think important, has arisen since your last report, we shall of course be glad to hear it?—I will do my best to get what information I can for the Committee.

201. In your last year's evidence you stated that, in your opinion, it was not necessary to impose any general condition as to steam pressure; do you remain of the same opinion still?—It has not been customary to impose such a condition for locomotive engines in this country. In France they do it, and they require the engines only to be worked up to a certain pressure.

202. You do not think it is advisable to introduce such a rule?—No; I think it would be better not to enter into it. I see that a speed recorder has been invented by a firm in Hanover; this a railway engine builder writes to me to say is simple, and that he has ordered one. I may be able to give the Committee some account of that.

Mr. *Maurice Brooks*.

203. Have you heard that the steam-cars have been taken off the line at Paris within the last 12 days?—The Chairman was mentioning that, but I had not heard it myself.

Thursday, 4th April 1878.

MEMBERS PRESENT:

Mr. Bates.	Mr. Knight.
Mr. Maurice Brooks.	Sir Graham Montgomery.
Admiral Egerton.	Mr. O'Conor.
Mr. Holms.	Mr. Pemberton.

MR. ARTHUR PEEL, IN THE CHAIR.

Mr. WILLIAM BARFOOT, called in; and Examined.

Chairman.

204. I UNDERSTAND that you are chairman of the Leicester Tramways Company?—I am.

205. You have been mayor of that town, and are now an alderman?—I am.

206. Have you been long interested in tramway matters?—Since the year 1873.

207. You are not satisfied with the motive power which you have now got in tramways?—I think the introduction of steam power would facilitate the working of tramways considerably.

208. Have you ever had any steam-engine working at Leicester with any kind of success?—We had one working about two months in 1876.

209. Did that engine work for any length of time?—Yes, we had it working during the daylight for most days for two months, from April till June.

210. Was that an ordinary steam-engine?—It was a steam-engine made especially for working on tramways. When it was working there was no steam emitted, no smoke, and no noise.

211. It was not a compressed air-engine?—No.

212. Was your attention directed to the necessity of having break power?—Yes; we made careful experiments in that respect, and we found that we could stop the engine in a shorter distance than with horses.

213. Was there break power on the car as well as on the engine?—We had break power on the car.

214. Worked from the engine?—No, worked separately.

215. During those experimental trips did any accident occur?—None at all.

216. Did the car so propelled by steam power run through populous parts of the town?—Yes, through the most populous parts of the town.

217. With much horse traffic?—Yes, a good deal of horse traffic. Our streets are very narrow.

218. What was the width of the streets in which these trial trips were made?—In the most populated part, I believe, the street was about 22 feet or 24 feet wide.

219. Was the line of tramway a single line?—Yes, a single line, with sidings in it occasionally.

Chairman—continued.

220. At what distance apart were the sidings?—Something like 200 or 300 yard intervals.

221. Where were those sidings placed, and what was the reason of their being placed where they were?—Being a narrow street, we were obliged to have a single line for the most part, and these passing places were to allow of the passage of the cars up and down.

222. There were no regular intervals between the sidings?—No.

223. Wherever the road allowed it you placed passing places?—Yes, in the most convenient places for the general traffic.

224. Did you give evidence before the Committee of last year?—I did.

225. Has anything occurred since then to give you any additional reason for thinking that sanction should be given to steam power on tramways?—Not particularly. I have been in Paris since then, and seen the working of the steam tramways there. We find that the public in the surrounding villages seem to be anxious now to have tramways running to them.

226. You contemplate a sort of suburban system of tramway?—Yes, we have it already. We have a tramway going to a populous village a little way out of Leicester now.

227. I am speaking of steam tramways?—With steam we could go a longer distance into the country; the population being, comparatively speaking, thinner between the two places, we could not use horse power because it would be too expensive.

228. Do you or not think that the main advantage of steam tramways would be in the case of the suburbs of large towns, so as to constitute, as it were, feeders between the villages and the large town itself?—I think that would be one of their main advantages.

229. Leicester constitutes the centre of a great agricultural district?—Yes; and there are manufacturing villages also surrounding the town.

230. What are the means of communication between those outlying villages and Leicester itself?—The old-fashioned carriers' carts; there are omnibus lines to some of the more populous villages, but generally they are the old-fashioned carriers' carts.

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Chairman—continued.

231. There is no system of omnibuses generally?—No, there is not a general system of omnibuses.

232. Do you think that if horse tramways were to be established between the outlying villages and Leicester itself, they would be remunerative undertakings?—No, I do not with horses; we find it almost an impossibility to get up gradients that we find we could get up with a steam-engine. The wheels of the tram-cars being small, it makes it very difficult to get up those gradients; with the steam-engine we found we could get up those gradients.

233. If you were to contrast cars worked by one horse with cars worked by steam, on which side would the economy lie?—I should retain the one-horse car.

234. If it was possible to work the system with a one-horse car, it would be more economical?—Yes, but you cannot work the system with a one-horse car where the gradients are heavy, or where you have to go long distances.

235. I suppose, holding the views you do about the necessity of a steam tramway communication, you would think it necessary, in the general interests of the public, to submit to regulations for the security of the public?—Yes, I think it is necessary to have regulations of some sort, but I have read some of the rules suggested by the Board of Trade, and in many towns with which I am acquainted, and Leicester in particular, we could not work at all if those rules were enforced. I think on every line of our tramways there are streets which are not so wide as 26 feet.

236. Would you propose, in Leicester, to put a single line of tramway worked by steam in a width of less than 26 feet?—Yes; I think there is less danger from the experience we gained in working the steam-engine on the tramway along our streets than with the use of horses.

237. You are speaking of a street as distinguished from a road; a street with a continuous line of houses on both sides?—Yes.

238. With considerable traffic in it?—Yes.

239. In the interests of the Leicester public, you think no objection could be raised to a steam tramway in a width of less than 26 feet in a populous part?—Most certainly.

Mr. *O'Conor.*

240. You have been working a steam-engine on tramways in a street 22 or 24 feet wide?—Yes.

241. So that you have practical experience of working steam-engines in narrow streets?—Yes.

Chairman.

242. How long was the steam tramway at work?—From April to June.

243. Did it work then continuously?—No; it worked in day-light for most days; it was a trial engine.

244. Under what authority were you working?—I was mayor of the borough at that time, and the local authority saw no objection, and I was chairman of the tramway company. I had no authority except that.

245. As to the width of the street, you are of opinion that the regulations of the Board of Trade might be advantageously modified?—I think so.

Chairman—continued.

246. Is there any width which you would suggest as necessary in the case of the roads in the neighbourhood of Leicester; as you do not seem to be particular about the width of the streets, I suppose you would be less particular about the width of the roads?—Yes, where there is less traffic there would be less danger; there are a good many highways round Leicester that are certainly not 26 feet wide.

Mr. *Bates.*

247. What width are they?—I measured one a little while ago; that was only 21 feet. I think there are some narrower than that.

Chairman.

248. You spoke of the brake power of your engine; within what distance could your engine pull up?—We could pull up within the length of the car easily.

249. Do you think that it is a proper restriction to lay down that you should be obliged to pull up within the length of the car?—That is a question I hardly know how to answer; it is a very short distance.

250. You say that you have had no accident, therefore the question, perhaps, did not arise as to the necessity of stopping within a short distance?—Not at all. Our experience was that we could stop in a shorter distance than with horses.

251. Where do passengers get into your car?—At the back of the car.

252. You would admit that it would be a dangerous thing for passengers to get in at the front of the car?—Yes. It is becoming the practice of tramway companies now to insist upon people getting in at the rear of the car, and never at the front.

253. Was your engine fitted in any particular way; had it an indicator or a recorder?—No; I think it was an engine without any of those arrangements required by the Board of Trade.

254. Did it consume its own smoke?—Yes.

255. How did the products of combustion pass away?—There was a funnel went to the top of the car, but it did not appear above the top, and ours being one-horse cars, we have no outside passengers at the top at all; all the passengers are within the car.

256. If passengers sat upon the top of the car it would be necessary, would it not, to modify that arrangement, however slight the inconvenience of it might be?—It would be certainly better to do so.

257. There would be some effluvia of some kind?—Yes.

258. What was the gauge of this tramway?—Four feet 8½ inches.

259. Your steam tramway?—Yes.

260. That is the uniform gauge, I suppose, throughout Leicester?—Yes.

261. Is there through communication between your tramways?—Yes; the greatest length we have is three and-a-half miles long.

262. I suppose there are breaks in them?—We do break in the centre of the town.

263. Are those dead ends?—No, there is communication all through, only we work from the centre of the town in each direction.

264. Then there is no such thing as an interval?—No.

265. Were you required, in the interests of the

Chairman—continued.

the town, to limit the speed of this engine?—No, not at all, but considering the conditions under which the running of the cars was allowed, we were rather particular as to the speed at which we ran.

266. When you speak of the conditions under which you ran, do you mean as regards the corporation or the town?—I mean, knowing that it was in the nature of an experiment, we ran through the town at perhaps about six miles an hour.

267. Have you any bell or whistle to give notice to passengers?—No, we had not; but the engine was so noiseless that it would require a bell, or something of that sort. I should not like a whistle; I think a bell would be far better.

268. Did you observe that the steam-engine caused any terror to horses?—Certainly not more than with an ordinary tram-car with horses when first placed on the streets. The engine is in the form of a small car, and there was nothing to create terror in horses any more from that than there would be from an ordinary tram-car.

269. If these tramways were permitted to have steam-engines working upon them, would they not thereby be placed in the category of railways, and ought they not, therefore, to be subject to the obligations of railways with regard to the imposition of duty, for instance?—I think, from what I have seen of the working of tramways, that any imposition such as you now refer to, such as passenger duty, would in very many instances, if not in all, cripple the action of the tramway companies very much, and prevent them working, and certainly prevent extension. Our fares are only 2 *d.*; we carry people two miles for 2 *d.*

Mr. *Pemberton.*

270. Do you charge the same for a fraction of a mile?—Yes.

Chairman.

271. You have no charge less than 2 *d.*—Yes; there is a populous village two miles away, and we charge 2 *d.* to or from that village; we have it in contemplation to charge 1 *d.* fares for half the distance.

272. Is there any point which you wish to bring specially under the notice of the Committee as having arisen since last year; or have you anything to add to the evidence which you gave last year?—No, except that I would wish to point out that these rules of the Board of Trade with respect to width would, in nearly all the old towns, practically prevent altogether the introduction of tramways worked by steam. There is, for instance, the town of Wolverhampton, then there is the town of Derby, where they are thinking of applying for powers to lay down tramways, and Gloucester, where they are applying for a Provisional Order for steam this year.

273. In any of the cases you have just mentioned have they tried the experiment of horse tramways?—No.

274. Do not you think it would be reasonable that they should first try the experiment of horse tramways before applying for power to use steam?—When going to the expense of applying for an Order to lay down tramways, they would like to put in a clause enabling them to use steam. Take the town of Wolverhampton, for instance, which tried last year to get a steam clause introduced. From Bilston to Wolverhampton the distance may be over two miles, and for about a mile and a-half of that distance there are no inhabitants at all, and the power to use steam there would be extremely beneficial, whereas it would be difficult for them to work that traffic with horses, in consequence of having to go such a long distance.

Chairman—continued.

275. Was any arrangement come to between your company and the Corporation of Leicester as to the repair of the roads over which your tram was laid?—Only as to the width of 18 inches on each side that we were bound to repair.

276. As a matter of permanent arrangement, do you think that it would be fair that, as between the company and the local authority, the obligation to repair should extend to the whole of the road?—Speaking as a member of the Corporation of Leicester, I think corporations generally are pretty well able to take care of themselves and their interests in that matter. I may mention that our own corporation gave their assent to the use of steam last year. I believe they petitioned in favour of the use of steam in our town.

277. You think in most cases it would be a sufficient guarantee that the interests of the public would be protected by its being left to the corporation or local authority to apply for power to use steam-engines on the tramways in their district?—I think, speaking generally, it would be a very proper thing to leave it in the hands of corporations, though I should also say it would be a beneficial thing to give a power of appeal to the Board of Trade.

278. An appeal on what points?—If it were left in the hands of the local authorities to give or withhold their assent to the formation of a tramway, and then if there were an appeal to the Board of Trade, it would be very useful.

279. Do you contemplate giving an absolute discretion to the local authority to impose what regulations or bye-laws they pleased, subject to appeal on particular points, or subject to general revision by the Board of Trade?—To illustrate what I mean, I may say that at Leicester we were applying for power to go to an adjacent village. The town authority gave us permission to go; they gave their assent to our going, but the highway board, over a short distance, refused their assent. They did not give any grounds for their refusal; I think they were farmers, for the most part. They said, "We can give you no reason; tramways are a nuisance, and we will not give our assent." The assent of the town authority has been given to our going over the greater part of the distance, and we are going over the rest of the distance without the assent of this highway board.

280. Under the provisions of the General Tramways Act?—Yes, I have had to meet that highway committee two or three times since, and they have said to me that the assent would now be given; that they found they made a mistake. We might have been prevented from going along their district, and an appeal in that case to the Board of Trade would have been very beneficial.

Mr. *Pemberton.*

281. That is rather with reference to the construction of the tramway than with regard to the

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Mr. *Pemberton*—continued.

the conditions under which it should be worked?—Yes.

282. You meant that it would be very desirable to have an appeal to the Board of Trade on the question of construction generally, and not as to the question of the rules to be applied afterwards; when you said you thought it very desirable that the action of the local authorities should be subject to an appeal to the Board of Trade, you meant simply on the point whether the tramway should be made or not?—Yes.

Chairman.

283. Your view would be to leave the whole of the bye-laws in the hands of the local authority?—Yes, because they are capable of taking care of themselves.

284. In your view they are more cognisant of the requirements of the population?—Yes.

285. And the danger likely to arise from the application of steam power?—Yes.

286. Supposing a street or road along which a tramway was proposed to be put, suddenly narrowed to an exceptional narrowness, would you consider that that should vitiate the whole scheme, or would you think that it should be open to the local authority and the company to come to some arrangement by which the traffic might be worked without detriment to the ordinary traffic?—The local authority would have the power of imposing conditions. I will give you an instance. We have in Leicester a street which is 16 feet wide, and it is in the centre of the town, and we are going to put a tramway down it. The local authority, till they see how it works, have made a stipulation that we are not to work it through the day.

287. Is the rail laid?—The rail will be laid down, but not worked till the local authority see by the actual working whether or no it will be dangerous.

288. Would you contemplate a steam tram-car passing through that narrow gut that you speak of?—I do not think there would be any greater danger than with horses, supposing it were allowed.

Admiral *Egerton.*

289. Do you think that the lives of the horses are shortened by being worked in these tram-cars?—I think we began starting at the latter end of 1873, and we have horses still at work that we had when we started; but I think I have heard it stated that a tramway horse does about four years' work, and then he becomes unfit.

Mr. *Holms.*

290. You stated that in running your steam-car through the town you ran at the rate of six miles an hour; at what rate did you run outside the town?—We could run pretty much any speed we liked; we ran at as much as 20 miles, simply by way of experiment.

291. During the two months when you were working, as a rule, how rapidly did you run outside the town?—About eight miles; six to eight. We tried to make a maximum of eight miles.

292. The locomotive was quite separate from the omnibus?—Yes.

293. What sort of engine was it?—Hughes' engine.

294. You spoke of going up a steep gradient; what was that gradient?—The gradient we used to go up was 1 in 22 or 1 in 24.

Mr. *Holms*—continued.

295. You said you objected to the regulations of the Board of Trade with reference to the width of streets; are there any other regulations of the Board of Trade which you think objectionable?—No.

296. You said you found it less costly to have steam than to have a two-horse tramway car; can you state what you found to be the difference in using steam as the propelling power?—No.

Mr. *Brooks.*

297. Are all your tramways drawn by one horse?—Yes, except on one section, about a mile and a-half long, where we use two; that is where this gradient is.

298. Would it not be more economical to have, with your one-horse carriages, a narrower gauge than 4 ft. 8½ in.?—It might be better. I am not able to give a scientific opinion upon that.

299. Practically, do not you think carriages running upon a gauge of 4 ft. 8½ in. are too large, and too cumbersome, and too heavy for one horse?—I think tramway companies generally have tried to make large and commodious carriages. The carriages are about 6 ft. 6 in. within, so that people can go from one end to the other, and I suppose that has determined the width, that is to say, trying to make a commodious carriage.

300. If you had a narrower gauge you would carry less dead weight?—It would not be much difference; the wheels and the ironwork are the heaviest weight, and you must have a certain space inside according to the Tramways Act.

301. Does your experience, as the chairman of a tramway company, enable you to say that a 4 ft. 8½ in. gauge is, on the whole, more economical in sparsely inhabited districts than a narrower gauge?—I am not able to give an opinion upon that. Supposing the gauge were narrower, the wheels being narrower, the car would have to go over them more on each side. I do not know whether it would be any more liable to tip over.

302. You have heard of the Festiniog Railway?—I have been on it.

303. Can you say what is the gauge upon that?—I think about three feet, as far as I can remember. It is very narrow, and the carriages have to be made specially for it.

304. In Leicester have you carriages of a superior and an inferior class, or are they of a uniform class?—They are all alike.

305. Are your fares alike?—Yes, all alike. We run workmen's cars in the morning two miles for a penny, morning and evening. We work special cars in the morning for people going to work, and at night in returning.

306. Do you carry by the cheap journeys factory operatives or artisans?—Both.

307. You do carry factory operatives?—Yes.

308. I understood you to say that your trams converge somewhere about the centre of the town?—Yes.

309. Do you charge separate rates for passengers travelling upon what may be described as two lines?—We charge separate fares.

310. So if a passenger got into a tram half a mile from the centre, and having reached the centre

Mr. *Brooks*—continued.

centre he then went half a mile beyond the centre, you would compel him to pay two fares?—Yes; he would be on two sections of our tramway.

311. Though it is one property?—Yes.

312. Is not that objected to by the corporation?—No, nor by the public. I have never heard an objection to it yet.

313. Do not the public consider that objectionable?—No; I have not heard of any objection on the part of the public at all.

314. Have no remonstrances been made?—No, none whatever.

315. Have any requests been made that you should interchange the traffic?—I have never heard of any request of that sort.

316. May I ask if, in your opinion, that practice is not an evasion of the law?—Certainly not. If it were we should soon alter our system.

317. The Chairman asked you what was your opinion with regard to the railway passenger duty as applied to passengers upon tramways; may I ask if your tram-cars are not subject to local changes?—Yes; we have to pay for licenses, and for the cars and horses; we are rated to the relief of local rates, and of course pay income tax.

318. Do you pay a tax upon the cars as hackney carriages?—Yes, 2*l.* 2*s.* a year each carriage.

319. Is that without reference to size?—Yes.

320. Do you know whether railway carriages are subject to any such tax?—I do not.

321. With regard to the repair of the roads, can you inform the Committee whether you have constructed a line of tramway upon a road which was already paved by the municipal council?—Certainly.

322. Was that paved from kerb to kerb?—Yes.

323. Has the corporation considered whether it is its duty to obtain from the tramway company payment for the cost of the paving?—We pave it ourselves.

324. But if the road had been already paved at the cost of the municipal council it would be unnecessary for the tramway company to lay down new paving in sets?—We have to take up the paving the whole width, and then re-pave it. We re-pave with the paving that was there previously.

325. Have the corporation given you the paving materials that were then in existence gratuitously?—Yes.

326. Then you constructed your tramway on roads already paved by the corporation?—Yes.

327. That, I presume, was at a less cost to the tramway company than if the tramways were to be laid on macadamised roads?—At Leicester there has been a small portion of the line on which we have gone which has been paved for the most part as a macadamised road. As far as we have gone we have received the materials. Of course where we have gone over the macadamised road we have had to pave it for the prescribed distance.

328. Was no remonstrance made by any of the inhabitants of Leicester at that appropriation of their property?—The corporation of Leicester have aided the tramway company in every way that was possible, because they believe and feel that it is a very great public convenience. That is the feeling of the population also. They are very much obliged, as far as I can gather, to the tramway company for laying down their tramways, because they feel they have been a benefit to the population. That is the general feeling in Leicester. I may say that during last year over our 4¾ miles of tramway 1½ millions of passengers travelled.

Mr. *Brooks*—continued.

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329. If the tramway company now charge separate fares for carriages which go over the central point where the lines converge, is not that an evasion of the law?—I have said before, certainly not.

330. Is it correct to say that you carry passengers two miles for 2*d.* if you charge them 2*d.* from one point to the centre?—But this line does not go any further than the centre of the town, which we call the Cross, or the Clock Tower. That finishes the two mile section. Then commences another section. The same carriages do not run in the opposite direction.

331. Now, as to the facts. Passengers travelling a less distance than two miles in one journey on your steam tramway would pay more than 2*d.* in some cases?—Not one section of the tramway. On each section of the tramway we charge a fare of 2*d.*

332. What is the distance between the sections where they converge; what is the distance of the ends from each other?—One is two miles from the centre; the other is a mile and-a-half, or a little more.

333. Have not the termini of the two sections a common point?—Each section of the tramways goes to the centre.

334. So that a man going north and south, and reaching the centre upon one section, and availing himself of the other section, and making a journey of not one mile in the whole, would pay 4*d.*?—These sections are constructed upon the principle that people will go to the centre, and from a centre. We might by chance want to do so in practice, but we have had no difficulty or complaints of people wanting to go from one section to another. If so, we should soon have made a system of correspondence from one place to another in our own interests.

335. Passengers going over two sections come to the centre as an accident, do they not?—They generally come by design, I should think.

Mr. *Knight.*

336. If you were permitted to use steam on the Leicester tramway, could you reduce the fares paid by the public?—To Leicester, I think, the use of steam upon tramways would, perhaps, be less beneficial than to most towns. We should use only steam on one section, and that section is where this gradient is; but I do not think it would have the effect of reducing the fares.

337. It would be an advantage to the company without being an advantage to the public?—It would be an advantage to the public, inasmuch as we could give a quicker service, and go further for the same price.

338. Then it would reduce the fares if you go further for the same price?—Yes.

339. Then your second answer contradicts your first, does it not?—I think not.

340. If you could go further for the same price you would run at a less rate?—The public would get more for their money.

Sir *Graham Montgomery.*

341. You said that the steepest gradient where the locomotive ran was 1 in 22; was that inside the

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Sir *Graham Montgomery*—continued.

the town or outside the town?—It was just outside the town, but still within the borough.

342. With houses at the side?—Yes.

343. Did you see this locomotive stop frequently upon this incline?—Yes.

344. You considered that it stopped within its own length?—Yes.

345. Did the state of the atmosphere and the slipperiness of the rails make no difference in the stopping power of the locomotive?—No; I do not think they did at all.

346. Was there a sand-box attached to the locomotive for sprinkling sand upon the rails?—I do not think we had a sand-box attached; but we had a sort of sprinkler attached underneath that would put water upon the rails. We thought that putting water on the rails was rather an advantage than a disadvantage owing to the steam.

347. I suppose the steam would damp the rails, and you put the water *on* to counteract the effect of the steam?—No; the water into which the steam had been condensed we put on the rails along the track as we went. We thought that was rather an advantage in the working of the engine than a disadvantage.

348. Was that to make the grip better?—It helps the rails, and there is less traction; it takes less power.

349. Do you think that this locomotive which you saw in operation in all states of the atmosphere and in all states of the rails could stop in its own length?—I do.

Mr. *Bates*.

350. You say that the roads in Leicester, where you have a tramway, are from 22 to 24 feet wide?—Yes; that is about the width of the roads.

351. Upon such roads you think it is quite safe to have steam applied to tramways?—I do.

352. That is a single line, of course?—Yes.

353. You say 200 yards form a goods siding?—They vary in length. I am only speaking from recollection and not from actual measurement.

354. What is the gauge of the tramway?—4 ft. 8½ in.

355. What is the width of your carriage?—6 ft. 6 in.

356. Then in order to have these sidings, how much of the road would you take off?—There are 3 feet between the two rails, so that it is 4 ft. 8½ in., and 3 feet between. It is altogether 12 ft. 5 in.

357. That would leave about 7 feet of the road clear?—Yes, where there is a siding.

358. Suppose there is a cart or a roller coming which is 9 feet wide, what is to be done?—We should have to wait on the single line until it passed.

359. You could not pass?—No.

360. What is the length of the street that you propose to put a tramway on of 16 feet wide?—I think it runs down, as near as I can remember, 100 yards, or perhaps a little less than that; 16 feet is the narrowest part, when it has gone a few yards it begins to widen out.

361. Would it be necessary to have a siding on that part?—No.

362. You said the main object of having steam was on account of the more populous villages?—I think that is one of the main advantages, in enabling the tramway to go to populous villages.

363. You think that a one-horse car is quite

Mr. *Bates*—continued.

as good as a steam-car as far as the town of Leicester is concerned?—On four-fifths of our lines which are made and projected, we should still continue to use the one-horse cars and not steam; but if steam were allowed we should use it upon the other one-fifth.

364. What is the length of that steep gradient which you have referred to?—Three-quarters of a mile.

365. You took the engine up?—Yes.

366. Did you ever take the engine down?—Oh, yes, we worked it both ways so as to test it.

367. How would it be coming down on a frosty morning?—I do not think we had a frosty morning.

368. Have you sidings in that part?—Yes. I do not remember having it tried on a frosty morning.

Mr. *Pemberton*.

369. It was from April to June, was it not?—Yes.

Mr. *Bates*.

370. Then you never tried it in the winter?—No.

371. Therefore you cannot say how it would act in the winter?—No.

372. You cannot say whether the weight behind the engine would overmaster it so as to make it come down with a run?—No.

373. You do not know that?—No.

374. I think you have made a slight mistake, have you not, with regard to the width of some of the roads in Leicester going to these populous villages?—I have measured some.

375. Have you measured the narrowest?—Well, I think that is as narrow a road as I can remember.

376. Twenty-two feet?—Twenty-one feet, I think it was.

377. Does the width of the roads in Leicester of 21 feet or 22 feet include the footpath?—No.

378. I think you said that you would not have a whistle?—No.

379. Would you have a continuous bell?—No; we put a bell on the horses, which I think is an advantage.

380. Then that is a continuous bell?—Yes, it is always ringing.

381. Do you not think that is objectionable to some people?—No; I think it would be dangerous to go without them, and I do not think there is any practical inconvenience.

382. How many cars would you propose to attach to one engine?—One. Our population is not a very large one. I think one would be quite sufficient except in times of pressure, such as holidays, when we could get a larger [illegible]

383. And a larger engine?—No, the same power would do.

384. Do you think the same power would take a larger car?—We did attach two cars to it at once, and it took them with ease.

385. Would you attach two cars coming down this steep gradient?—I do not think it would make any difference, because there is also a brake power to the cars as well as to the engines.

386. You have heard of such a thing as the weight of the car behind the engine overpowering the engine, although there has been brake power to the engine?—I do not think that is so in a tramway.

387. Do

Mr. *Bates*—continued.

387. Do you know of a case that occurred the other day in Scotland where the engine got the master?—No, I did not see an account of that case.

388. You say that the tramway company are bound only to repair that portion of the road which is used?—That is all.

389. You are bound to repair your sidings?—Yes.

390. You are bound to repair 15 feet out of the 22 feet?—Yes.

391. You stated that the corporation are in favour of these tramways being worked by steam, did you not?—No.

392. Are there any opponents to the tramway in Leicester?—None at all.

393. Are there no opponents in the rural districts?—That I do not know, for I have not inquired; there is the highway board.

394. I mean residents in the neighbourhood who complain of the steam frightening horses?—No.

395. You were asked a question as to whether it would not answer your purpose to have a less gauge, and you very properly said that if you had a less gauge that the cars would be liable to capsize?—I was thinking of that probability.

396. Do you not think it would be utterly impossible to have a less gauge than a 6 ft. 6 in. gauge?—I said I was not capable of giving a scientific opinion upon the subject, but that certainly would be my opinion.

397. And especially if there were people on the roof?—I think then it would be very dangerous to have a less gauge.

398. You were asked a great many questions with regard to your charges from the centre; if a passenger got in half a mile on one side of the centre, and wanted to go half a mile on the other side of the centre, you would charge double fare, because you would have separate charges?—Yes.

399. In fact, it would be like a stage coach starting from London going to York, and a stage coach starting from London going to the west; of course, if you got in five miles on either side they would charge you for it, would they not?—It would be just the same.

400. Therefore, of necessity, if you change carriages you must make a rule or regulation that the party getting in for his own convenience must pay the fare, or else you could not exist?—People are very much obliged to us for carrying them for 2 *d.*; they used to pay 1 *s.* for cabs until the trams came.

Mr. *Pemberton.*

401. As a general rule, would tramways when laid down for horse power be capable of carrying steam power?—In the new lines that we are making we are increasing the weight of our metals in anticipation of being able to use steam.

402. You think, as an ordinary rule, that a tramway which was adapted for horses would not be adapted to steam power?—We work ours with steam power, without any apparent deterioration of the line.

403. You do not find any extra wear and tear?—No.

404. I think you said there have been no accidents?—Yes.

Mr. *Pemberton*—continued.

405. I presume there have been accidents before in the working of the tramway?—There have been slight accidents.

406. So that, as far as that goes, the advantage is in favour of steam power?—I am satisfied there is less danger in using the steam engine as we use it than with horses.

407. I think you said that in some of the highways outside Leicester the roads are very narrow?—The road I was referring to is 21 feet wide.

408. I suppose in the neighbourhood of Leicester, the same as in many other towns, they use traction engines very considerably?—Yes.

409. In the neighbourhood of Leicester there are constantly traction engines going to the farms?—There are constantly traction engines going out.

410. Carrying carts with manure, and so on?—No, the traction engines that go about are generally for the purpose of ploughing and threshing, they are cultivators.

411. Which do you think occasions the most obstruction upon these narrow roads, the traction engines or the tramway engines?—The traction engines by far, and they are very dangerous too with their noise, smoke, and steam.

412. And yet they are allowed to go on these highways, which are only 20 feet wide?—Yes.

413. I think you said you did not have either indicators or recorders?—No. It was the first engine that was made.

414. I suppose there would be no difficulty in applying those, but it is a question of expense merely?—It is a question of expense, and also having a perfect machine.

415. I mean, subject to the question of expense, you see no objection to complying with the Board of Trade regulations in that respect?—I think I said in my former evidence, and I should say so again, that with an engine driver the less appliances you have to contend with the better, because he could then devote more attention to the management of his engine, instead of having to look after these various appliances.

416. They work themselves, therefore he would not have to look after them; it is only a question of recording the speed at which the journey had been performed?—Yes.

417. You entertain no objection to the Board of Trade regulations in that respect, if they do not require attention on the part of the driver?—No. It would be better for the public interest that an engine should not run beyond a certain speed. Where there is no population on roads, I think the engine might be allowed to run at a much greater speed than it would go along streets in populous towns.

418. You have an objection to additional taxation?—I think that would prevent the development of the tramway enterprise generally. In Leicester, when we first projected our tramways, we had very great difficulty indeed in getting the capital to construct it, so much so, that the public at first would not assist us. A few of us who were instrumental in getting it, because we thought it would be beneficial to the neighbourhood, had to construct it ourselves. I think if too many restrictions of that sort were placed on it, it would prevent tramway enterprise altogether.

Mr. *Barfoot.*

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Mr. *Pemberton*—continued.

419. You think it comes to the question whether the public should get the benefit of the reduced fares, or the benefit of taxation in another way?—I think the use of steam will benefit the public in the way I have indicated, namely, that it will enable the tram-cars to go a longer distance, where there is a very thin population.

420. The objection to taxation is only the usual objection to a new tax on behalf of the persons who have to pay it?—Yes.

Chairman.

421. Have you any scheme now before Parliament for sanctioning the use of steam upon tramways?—Last year in Leicester we did apply for steam; Government intended at that time to introduce a Bill which they did not carry out.

422. The Government Bill sanctioned an experimental use of steam power, did it not?—I think not. I think it was withdrawn altogether.

Mr. *Maurice Brooks.*

423. The trams which now converge upon that central station being co-terminous, what reasons are there why they should not be continuous?—We have three lines which go from there; one goes to the village of Belgrave; another goes to a district called the London-road, and another line goes to another district called Humberstone; the cars being marked for those districts, the public know which to get into, but we do not run them through. We run them up to the centre, and then back again.

424. Would it not be more economical if the cars run through?—No, I do not think it would be more economical. The public know which cars to get into, and they get into it.

425. Is it or is it not frequently the case that passengers are obliged to change cars at the centre?—I say these were so constructed as to come from districts that we think have no communication, or very little communication, with each other. They come from the end one to the centre.

Major General HUTCHINSON, R.E., again called in; and further Examined.

Major Gen. *Hutchinson*, R.E.

Chairman.

426. SINCE your examination some days since I believe you have, at the request of the Committee, made several inquiries as to the working of steam upon tramways, both abroad and at home?—Yes.

427. You went to Paris?—Yes.

428. To Rouen?—Yes.

429. Liege?—Yes.

430. Portsmouth?—Yes.

431. Batley?—Yes.

432. And Edinburgh?—Yes.

433. Do they comprise all the places you have visited?—Those are the places I have visited.

434. We have heard it stated that steam upon tramways has been disused at the present moment in Paris, is that so?—I found that that was the case.

435. Will you explain why?—I was informed that one reason of it was that there had been a dispute as to terms between the providers of the engines and the tramway company.

436. Did that arise from any objection on the part of the corporation?—I understood there was no objection on the part of the municipal authorities. I saw some of the municipal authorities, and they stated that they only wished that the engines had been able to do their work more satisfactorily; that they had been weak and not up to their work; but they did not at all regret sanctioning the use of steam on the tramways of Paris, but, on the contrary, were about to sanction the extended use of it.

437. Will steam power be recommenced shortly on the Parisian tramways?—The concessionnaire of the tramways, Mr. Harding, informed me that steam traction would recommence on the route on which it had been previously employed in the course of a fortnight or three weeks, and that it would be commenced on a new route from the Arc de Triomphe through Neuilly to Courbevoie, a distance of about 2½ miles, in about two months' time.

438. Anywhere else?—I have been informed that there will shortly be steam traction upon the

Chairman—continued.

tramways in the north of Paris. That I was merely told incidentally.

439. The two last instances that you are speaking of are additions to the existing trams?—The two last are additions to the existing trams.

440. Has any inquiry been made by the municipality of Paris as to the comparative results of the working of tramways with horses as compared with steam?—I was informed that that had been the case, and that the comparison was very favourable with regard to the use of steam; in fact that was one of the reasons, or the main reason, why the use of steam was for a time given up, because there was a great anxiety on the part of the tramway company to use horses for a time upon absolutely the same route on which steam had been hitherto employed, and then to compare the results of the two systems of working. Although I could not obtain these results, the concessionnaire informed me that the results were very favourable as regards steam power. He promised to send me the particulars, but he has not done so yet.

441. That was merely as regards the steam power as compared with horses?—On the route from the Place de la Bastille to Mont Parnasse.

442. You mean that steam compared favourably, in a financial point of view, with horse power?—Yes. I find I made a slight mistake about the new routes. Steam is to be first commenced from the Arc de Triomphe through Neuilly to Courbevoie. That is to be commenced in two months. Then there is another route from St. Denis to la Chapelle, which is a distance of four miles, where steam traction is to be employed, in three months.

443. So that there will be three new routes?—Yes; I omitted one.

444. What length of tramway, upon which the use of steam is sanctioned will there be in Paris, added to the existing tramways?—I cannot state what the length of the northern tramways is;

Chairman—continued.

is; but the existing route and the two new routes will make a length of about 10 miles. I think a witness who will be called will be able to give the former distance.

445. You went to Paris, I believe, at the request of the Committee of last year?—I did.

446. Had any accident occurred up to the time when you went to Paris last year at the request of the Committee on Steam Tramways?—That was up to March last year. There had been some accidents, which are referred to in my report.

447. Have there been any accidents since that date?—I have ascertained that there has been no accident of importance since that date.

448. But we must take into account, must we not, that during a certain period of the time steam had been discontinued upon the tramways?—Steam had been discontinued since the month of February for about a fortnight.

449. Are we to understand that during the 11 months there had not been any fatal accident?—So far as I could ascertain there have been no accidents of any importance.

450. I believe you also went to Rouen?—Yes; there I found steam traction in use.

451. In what part of the town are steam tramways at work?—The steam tramways are running from the bridge over the Seine along the quays through the suburb northward, a distance of about four-and-a-half miles.

452. Does that pass through any populous part of Rouen?—No, not through any populous part of Rouen.

453. In no part of Rouen is there a steam tramway running in the populous part?—No.

454. Are there any horse tramways in Rouen?—Not at present; they are under construction, but I was informed that, at any rate for the present, it is not intended to use steam through the narrow streets or centre of Rouen, but that a horse-service tramway was to be instituted in the centre of Rouen, which would connect together the different steam tramways which it is proposed to construct.

455. Speaking generally, is Rouen a town of broad or narrow streets?—Some of the streets are narrow, one in particular. The high street, as it were, of Rouen is, I think, only 22 feet in width between the kerbs.

456. Do they run cars daily upon the tramway that runs from the quays to the suburb that you mention?—Constantly; there is a frequent service.

457. Do they increase the service on Sundays or holidays?—They increase the service by letting the engine draw two cars along the level part of the line as far as the Octroi barrier, and from that point the engine carries one car to its destination.

458. What is the nature of the gradient on that line?—The worst gradient beyond the Octroi barrier, where there is only one car taken, is 1 in 28. Upon that gradient two cars have not been worked.

459. The whole of that runs along a road which is comparatively wide, does it not?—Yes, all the road is wide. There is no narrow road except a little bit at the Octroi barrier. The tram runs by the side of the road, except for a short distance, a space of nine feet being left between the nearest rail and the kerb.

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Chairman—continued.

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460. Is that a regulation of the authorities of the town of Rouen?—Yes.

461. There is no general Act, I suppose, to that effect?—No, there is no general Act; the circumstances are special.

462. There is no bye-law of the municipality?—No; the tramways have to be authorised both by the municipality and by the Ponts et Chaussées.

463. The central government reserve to themselves a right of appeal?—The project itself has been approved of by the Minister for Public Works in Paris. The details of carrying out the project are settled by the Ponts et Chaussées and the municipal government.

464. Would the director of the central government have under his care such regulations as are dealt with by our Board of Trade?—Hardly so much in detail; he has to give his approval to such projects generally.

465. A great deal would be left to the discretion of the local authority?—Yes; the local officer of the Ponts et Chaussées representing more or less the central government.

466. While the steam power was being tried upon the tramway in Rouen, was there much traffic upon the road?—A few carriages passed, but no great number.

467. Did you observe the effect of the passing of the steam tram-car upon horses?—There was the usual effect of a small number, more or less, being frightened. There were no horses badly frightened, but a great many noticed the tram-car; they jibbed as it were, but there were no horses of any great mettle went past upon that occasion.

468. Is there any rule laid down now by the local authority, to use our English word, of Rouen, as to the speed which the tram-car should travel at?—The restriction is 15 kilomètres per hour, or about nine miles per hour; that was the only restriction, except the restriction that was imposed with regard to the pressure at which the engine should work.

469. Have you formed any opinion as to the necessity of a regulation as to the pressure on the engine?—I have been thinking that it might be desirable that there should be some cognisance taken of the strength of the boiler. If the Board of Trade are to be called upon to certify that engines are fit to run, I think it would be reasonable to require a certificate that the boilers have been submitted to a certain test, such as the ordinary test which is considered adequate in locomotive engines, viz., a pressure of 280 lbs. or 300 lbs. to the square inch.

470. Is anything of that kind in use with reference to railways?—Railway companies give no certificate to the Board of Trade or anyone else; but the Board of Trade does not certify that locomotives on railways are fit to run. They have no responsibility with regard to that.

471. But you would introduce some supervision of the kind you have mentioned in the case of locomotives upon tramways?—I do not mean any supervision; but it has struck me that it would be desirable before an engine was certified as being fit for running, that a certificate should be given to the Board of Trade that it had been submitted to a certain test pressure, and that the working pressure should not exceed a certain definite proportion of that test pressure; because

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Chairman—continued.

it would be a very awkward thing if a boiler were to blow up a few days after it was certified and there had been no provision taken to ensure that it had been properly tested. What I submit is, that the tramway company should give a certificate that their engine had been tested.

472. I find nothing in these proposed regulations about an inspection of boilers?—No.

473. That is a point which has recently occurred to you then?—It has occurred to me that that would be only right; I did not mean to suggest that there should be any inspection of boilers by the Board of Trade, because I think that would be launching the Board of Trade into a very large affair. I think if the company were to furnish a certificate in an approved form, that the boilers had been subjected to a certain pressure, and they were to give an undertaking that they should be worked only at a certain pressure, that would meet the necessities of the case.

474. In that case there would be no need of the periodical report as to the state of the boilers?—There might be a periodical report required; that would be quite another matter. I do not wish to recommend an inspection of boilers on the part of the Board of Trade, because it would almost involve the creation of a new department to carry out such an inspection properly.

475. Is your recommendation founded upon the danger arising of a boiler exploding in a narrow and populous street?—That would be a very serious matter.

476. Is it contemplated to extend the tramway system in Rouen?—Yes, very largely; I am informed that it is in contemplation to extend it to several suburbs. One of the longest lines will be a line of 12 miles to a suburb called Elbœuf where there is a great cotton factory. They anticipate a large traffic from Elbœuf to Rouen.

477. It is not contemplated to have steam upon those tramways?—Yes; and to have a horse-tramway connecting the different steam tramways together.

478. Are you able to speak to what is the width between the kerbs in the narrow streets of the city of Rouen, where they propose to make a horse tramway?—Yes; 22 feet is the narrowest.

479. Would that width allow of a horse tramway to be taken through it?—Yes. They are not all so narrow as 22 feet; 22 feet is the narrowest, and that is in a very busy part of Rouen.

480. Is that inclusive or exclusive of the foot pavement?—That is the width between the kerbs of the pavement, the part available for carriage traffic.

481. It is a very important matter to know the width of the street between the houses?—I should say, at a rough guess, that the pavement is six feet wide; they are narrow pavements. That would make the total width of the street 34 feet.

482. Did you hear of an accident having occurred at Rouen?—No; no accident of any importance whatever had occurred, as far as I could ascertain.

483. During what period?—Steam had been used since September last.

484. You went to Liege, did you not?—From Rouen I went to Liege, understanding that steam was in use upon the tramways there.

485. How long had steam traction been in use at Liege?—It had been in use since September, but it had been discontinued from about the

Chairman—continued.

middle of March, owing to a steam traction engine having run into a cart. There was only one engine, which was employed in conjunction with the horse tramway. The engine had met with a collision. I was told that an obstinate carter persisted in driving zigzag across the road in front of the steam tram engine, and the driver of the engine lost his temper.

486. Then that was not an accident fairly incidental to the working of steam on the tramway?—No; it was an accident owing to the obstinacy of the carter, and the temper of the driver of the engine.

487. Did the steam tramway go through the heart of the city?—It did, through very narrow streets indeed.

488. I suppose Liege is a town of exceptionally narrow streets?—A great many of the streets are exceedingly narrow. The tramway was carried through these narrow streets on a single line close to the pavement, only leaving more than a foot or 18 inches between the kerb and the tram-rail. The street I allude to was only 18 feet in width between the kerbs, and 26 feet wide from house to house.

489. Did not that cause any disturbance to the local traffic?—The local traffic passed to one side when the tram-car was coming. I did not see the steam tram-car running, but the horse-cars were running, and the traffic seemed to accommodate itself to the horse-cars. The streets are wretchedly kept in Liege; both the pavements and the carriage-way are in a miserable state, and the tramway itself is also in a very bad state.

490. The pavement on each side would be about four feet wide?—Yes; it is a very narrow pavement. I never saw a large city with streets so badly maintained.

491. Did you have any conversation with the chairman of the tramway company at Liege?—Yes, I had.

492. Did he tell you anything that you think worth communicating to this Committee?—He told me that they had found by experiments at Liege, that if one-horse cars were sufficient to carry the traffic, there was no economy in the use of steam. He also told me that he had found, from his experience, that a tramway engine painted yellow was much more terrifying to horses than if some neutral colour, such as brown or mahogany was used. I believe that is not borne out by the experience of other people, though that was his experience, decidedly. He said there was no question but that the yellow colour is exceedingly frightening to horses.

493. As a rule, the horses would be colour blind; it would make no difference to the horses unless it was a very staring colour, such as a coat of yellow?—Yellow is a very staring colour. They are not at all strong on the use of steam in Liege, because single horse cars can do their work very adequately.

Mr. *Pemberton*.

494. Do the tramways run on the hilly part of Liege?—No; they have a tolerably level road. The worst gradient they have is 1 in 20. Through the main parts of the town it is tolerably flat. The gradient of 1 in 20 occurs in the suburban part.

Chairman.

495. I think that exhausts your experience of steam tramways in foreign countries?—Yes. I

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Chairman—continued.

am sorry I had not time to go further into the matter, but I thought the Committee were going to meet last Monday, and I wanted to get back.

496. I believe you then went to Portsmouth?—I did, on my return.

497. There is a steam traction engine at work at Portsmouth, is there not?—Merely experimentally, not regularly. It was working, in fact, as an experiment, on the day I saw it.

498. It goes through the High-street of Portsmouth, does it not?—Yes; they had permission to try it experimentally.

499. Do you know during what time the experiment has been practised?—I think it was the second time only that the engine had run when I saw it.

500. You saw it in operation?—Yes.

501. Therefore, it was a comparatively novel sight, both to the people and to the horses?—I believe they had been trying steam engines experimentally there before, but only occasionally.

502. With what effect upon the horses?—They were more or less frightened. Some horses shied on to the footpath, but, as a rule, only a very small per-centage of the horses were frightened.

503. Was that engine built to comply with the regulations of the Board of Trade?—No. It was built for sending to Bilbao, in Spain. It made no pretence to comply with the regulations of the Board of Trade.

504. Was there any emission of steam?—No. It was very perfectly condensed. There seemed to be an excellent arrangement for that purpose, and also for getting rid of the products of combustion. I travelled on the top of the engine, with my nose over the funnel, for two miles, and I did not perceive the least atom of noxious vapours coming out. The way it is managed is this. The act of putting on steam closes a valve in the funnel, and throws the products of combustion downwards on to the streets, instead of upwards into the air.

505. Therefore, we cannot take that engine as exemplifying, in practice, any of the appliances which are thought to be necessary by the Board of Trade?—No, except the condensation of the steam, and the getting rid of the noxious vapours, so as not to annoy passengers.

Admiral *Egerton.*

506. Was there any noise?—The noise was nothing more than absolutely necessary; there must be a certain amount of noise.

Chairman.

507. It caused a certain amount of fright?—Yes. I have never seen one that did not.

508. Was there any fire visible?—No.

509. Have you any further remarks to make upon the Portsmouth steam tram?—No. There is nothing else that is special that I observed. If the use of steam is introduced at Portsmouth, I know the tramway company very much wish that they should be able to run two cars together. It is the idea of the tramway company at Portsmouth that it will be a great help to them if they are allowed to take two cars at once.

510. I believe you have visited Batley, near Leeds?—Yes.

511. How far is Batley from Leeds?—About 12 miles.

Chairman—continued.

512. What did you see going on at Batley?—A tram-car had been running for three or four days with an engine which had been sent from Leeds, for the purpose of trying an experiment. It appeared to be doing its work well as regards its power of traction. There are some severe gradients at Batley.

513. Was it working through the suburbs or through the town?—It worked through the towns of Dewsbury, Birstal, and Batley. They are three towns, which form a continuous street.

514. Is it a wide street?—Part of it is wide, and part narrow. On the narrow portion in Dewsbury, towards the end of the tramway, it becomes very narrow, it is not more than 24 feet wide.

515. You saw steam in operation throughout the line?—Yes, the engine was drawing a car backward and forward. That engine is provided with a novel mode of condensing the steam by passing it through a series of pipes at the top of the engine, and it appeared by that means to be condensed very fairly, although now and then there was an emission of steam visible.

516. Then this was different from the last instance, because the products of combustion were carried through a funnel?—They were carried in the ordinary way upwards into the air.

517. How did the engine work?—The engine worked very well indeed.

518. There was occasionally an emission of steam?—There was occasionally an escape of steam visible.

519. You saw the usual effect upon the horses?—Yes. The horses we met were principally of a superior description of drayhorses carrying the produce of the mills about, and a few of these were somewhat frightened.

520. Was that engine fitted with any of the appliances recommended by the Board of Trade?—No, it was not.

521. You then went to Edinburgh?—I went to Edinburgh after that.

522. I believe there is a special form of engine in use there?—It is a combined engine and car at Edinburgh, that has been working there for some time.

523. Under what sanction?—Under no sanction that I am aware of. I fancy it is against the wishes of the municipal authorities, though they have not formally interdicted the use of it. The requirements of the Locomotive Act are to a certain extent complied with by sending a man on horseback in front of the steam-car with a red flag.

524. Through what streets?—It was through the whole of Edinburgh. In the experiment I made with it, we started from the Post Office, and it went along Princes-street through a number of other crowded streets, making a detour, and coming back into Edinburgh to the same point from which we started.

525. Had the rails been specially laid for that engine?—No.

526. Did it run upon the ordinary rails used by the horse trams?—Yes.

527. Do I understand rightly that the boiler is in the same compartment with the passengers?—The boiler is at the right hand side of one of the entrances. It occupies, perhaps, the space

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of two passengers in the right-hand corner of the entrance on one side of the car.

528. Speaking from your experience, would it be a safe thing for the passengers to have it in their immediate proximity?—There would be no danger, except in the case of an explosion of the boiler; of course that would be an objection to a boiler anywhere.

529. But I suppose it would intensify the danger?—It would to a small degree.

530. I want to know the extent to which it would; would it make a difference?—It might.

531. If a boiler were to burst, you would sooner have it in a separate car than in the passenger car?—Yes, but I do not think that ought to be a ground of objection to the system.

532. Had that engine got any of the appliances which you have spoken of?—It was provided with a governor for regulating the speed, and applying the brakes, but unfortunately it was not at work when I saw the engine running. I suppose it was not in proper working order, but I saw that the appliances had been provided. The inventor of the engine said there was no difficulty in making it work, although they had unfortunately not got it working when I saw it.

533. How are the products of combustion disposed of in that engine?—The products of combustion were emitted from a hole just under the roof. Of course, to a certain extent, they would be felt on the roof by the outside passengers. The steam seemed to be perfectly condensed; there was no emission of steam.

534. I suppose in Edinburgh it went up a steep incline?—Yes.

535. What was the steepest gradient?—There was a short one of 1 in 13, aggravated by the existence of two sharp curves. The engine went up it without much difficulty.

536. For the purpose of ascending a steep incline, did they put on any extra cylinder?—Yes, they had a provision in this car for using either two or three cylinders, and when they were rising up the steep incline they used the additional cylinder.

537. Was there any danger apparent to you in descending those gradients?—The car was fairly manageable. It being a combined engine and car, there was extra ease in stopping on the gradients from the fact of the car being heavier than usual, and from there being no pressure from the carriage behind on the steam engine. The whole being self-contained, the brake power was applicable to the wheels of the combined car. The car was stopped with tolerable facility, but I do not think the brake arrangements were as good as they might have been.

538. You mention, as an element of safety, the brake power being contained in the carriage?—Yes.

539. I suppose if there were a continuous brake extending from the engine to all the carriages, you might extend the number of carriages with safety?—Are you referring to the case of an engine separated from the car?

540. Or in stopping and preventing pressure from behind?—Yes.

541. I suppose you attach great importance, do you not, to the brake power of those engines?—In those that I have hitherto seen I do not think there has been enough attention paid to giving the driver sufficient immediate control

Chairman—continued.

over the brake-power. That is a point which can readily be attained if it is attended to.

542. Was there any exceptional effect produced on horses in Edinburgh?—Many of the streets that we went through were much crowded with a superior description of horses, drawing carriages. It was in the middle of the afternoon, from three to four o'clock, when the fashionable people in Edinburgh were out. I never saw so little effect produced on carriage horses as by this particular engine and car combined. I do not remember noticing one horse of a superior description frightened. But the strange thing was, that the tramway horses were those that were the most frightened. We passed a number of tramcars, and the drivers had apparently great difficulty in keeping their horses on the road at all.

543. Those horses of course were the nearest?—They were close to the engine. No doubt it was from the unusual fact of seeing a tram-car passing near them without any apparent means of being moved. Otherwise the ordinary traffic horses were very little frightened. The cab-horses on the cabstands next the tramway cars were those that were the next most frightened. They showed signs of restiveness as the steam tram-car passed them.

544. As far as Edinburgh is concerned should you gather that there is security to the public from the steam engine and the car being in one?—As regards the frightening of horses I think so, certainly.

545. I meant generally with reference to the safety of passengers in descending or ascending inclines?—I do not know that there would be any additional safety if a tram engine separate from a tram-car were provided with continuous brakes in the way alluded to. I think in all cases, where there are bad gradients on tramways, it will be very necessary that the driver should have some means of controlling by continuous brakes the brakes of the tram-car which is attached to his engine, or else in descending inclines the tram-car will press forward on the engine, and be very likely to cause an accident.

546. The brake power is probably an imporant element in the case; will you kindly look at the proposals of the Board of Trade, in which it is recommended that every car should be fitted with a self-acting mechanical appliance, placed beyond the control of the driver, and operating when the engine attained a certain speed?—That is to guard against recklessness or carelessness on the part of the driver.

547. That is to guard against excessive speed?—Yes.

548. Where is the regulation that deals with the brake power necessary for the purpose that you have been speaking of?—That is a point which has occurred to me since I was last before the Committee.

549. Then you would think it important in the interests of the public, that some regulation should be laid down as regards the brake power?—I think so. I think that the driver of the steam car should have the control of such brake power as would cause the car to be stopped within a certain prescribed distance.

550. I think all that is only consistent with the repeated recommendation of the Board of Trade in the case of railways?—Yes. I do not think it would be advisable to lay down a rule that

Chairman—continued.

that the car should be capable of being stopped within its own length. I think that it is hardly possible; but I think some reasonable distance should be laid down, such as 10 or 15 yards.

551. There is no provision for that in these proposals?—No.

552. You do not think it desirable to insert a provision to the effect that it should be stopped within its own length?—I think that is more than could be complied with.

553. Would you put in any regulations?—I think it is desirable to put in some, but I am not prepared to say exactly what form it should take. I think a certain distance, say of 10 or 15 yards when running at the maximum speed allowed.

554. Such as that which is recommended by the Railway Commissioners when they said that a train travelling at 45 miles an hour should stop within a distance of 500 or 600 yards?—Yes.

555. Who would be the judge of the brake-power. That would be referred to the Board of Trade, I presume?—Before certifying that an engine was fit to run, it would have to be seen that there had been provision made for enabling a steam engine and carriage, or a combined engine and car, as the case may be, to stop within a certain distance.

556. Speaking generally, as you are at present advised, you think it would be possible to put in some general regulation to say that there should be some sufficient brake-power, without specifying the extent?—I think that would meet the case. It is a subject which should not be lost sight of. In many of the experiments, the engine would not stop in 30 yards.

557. Besides those two new points, which I gather you have raised in this examination, namely, the strength of the boiler and the sufficiency of the brake power; is there any other point that occurs to you as the result of your experience, from your recent inspection, and what you saw last year?—No. I think I have brought before the Committee the points which strike me as being most important.

558. Would you attach much importance to laying down in the regulations an absolute limitation of width between which there was to be a single or double line?—I think it would be desirable not to make a hard-and-fast rule, but to leave it to be dealt with by the Board of Trade upon the merits of each particular case.

559. Would you agree to the proposal that was made that a large latitude of discretion should be allowed to the local authority?—In such a matter as that, they ought to know what was best, having regard to the facts connected with each town, and the feelings of the people.

560. You think it would be necessary for the sake of the general public to take such precautions as might be imposed by the central department?—I think the public would be protected, perhaps, to as great an extent as might be necessary by the General Tramway Act. Presuming that the General Tramway Act would not be over-ridden by any new regulations, and that the same rule as to frontagers' objections would exist as heretofore, I think that the question of the relaxation of the 10 feet 6 inches distance might be considered. The limit of 9 feet 6 inches is in the case of tramways being laid out of the centre of the road.

561. You think, in all cases where a tramway is laid out in the centre of a road, that there should be 9 feet 6 inches between the kerb and the outer rail?—No. I think that in that case again there might be a dispensing power given to the Board of Trade under certain circumstances.

Chairman—continued.

562. In short, you think that those regulations should be made as elastic as possible?—I think they should be made as elastic as possible.

563. Is there any point upon which you wish to stand with more absolute firmness than upon others; with regard to the indicators and governors, are you still of opinion that it is absolutely necessary to insist that these engines should be fitted with indicators and recorders?—I see no reason to alter the opinion I have already expressed. I think it would be very desirable to lay down a rule that they should be so fitted. Of course, if experience further on shows that it is an impossible requirement, then it might be relaxed.

564. Your further experience has not shaken your belief as to the necessity of requiring there should be an indicator and recorder on each engine?—No. I heard what the chairman of the Leicester Tramway Company said, namely, that they had been running at a speed of 20 miles an hour experimentally. That is a very dangerous speed on a road, and it is very desirable that a driver should not have it in his power to run at that speed. It shows what can be done with these tramway engines, and the desirability of not putting such a very dangerous power into the hands of the drivers.

565. Is it necessary, do you think, to lay down bye-laws on the part of the Board of Trade, or would you leave that to the local authority; would they or would they not be the best judges of deciding what bye-laws, as distinguished from the conditions which should be imposed upon tramway companies, are desirable; I observe in these proposals that there is to be a record of the speed; that the speed is not to exceed so much per hour, and there is to be the use of a bell and whistle, and that it is to stop in the event of a horse being frightened, and so on; are those matters which you think would be advisable to specify on the part of the Government?—Yes, I think most of these are important bye-laws to be prescribed on the part of the Government.

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Mr. *Bates*.

566. What is the width of the streets in Paris where these tramways are laid?—The road is very wide; it is, perhaps, 50 feet.

567. They have double lines of rails there, have they not?—Yes.

568. I think you said that at Rouen they only ran alongside the quays?—No; they commence running alongside the quays, and then they go along the ordinary country roads.

569. Then in the town they only go along the quays?—At present they only go along the quays, they do not go into the crowded part of the town at all.

570. What is the width of High-street, Portsmouth?—It is a narrow street; I cannot tell you precisely, but I should think some of it would be as narrow as 22 feet between the kerbs.

571. Is it a street of much traffic?—Yes.

572. Are there shops?—Yes, all the way along.

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Mr. *Bates*—continued.

573. The streets in Edinburgh are very wide, are they not?—The principal streets are.

574. Throughout the town?—Many of the streets through which the tram runs are very narrow.

575. What is the width?—I suppose in some cases not more than 28 feet wide. The principal streets are wide, but there are some exceptionally narrow. I am, in all cases, speaking of the width between the kerbs.

576. You have stated that, in the case of the Edinburgh tram, the boiler is in the carriage?—In this particular car.

577. Do you think there is any more danger in its being in that position than if it were outside?—I do not quite say that.

578. Suppose a boiler were to burst in this room, would you rather be in the room, or in the lobby?—I would rather be in the lobby.

579. If a boiler were in this room and it were to burst, would it not do a great deal more damage than if it were in the lobby?—There is a great difference between the boiler of an engine bursting in a car were there are passengers, and the boiler of an engine bursting in the lobby with thick walls between.

580. I am referring to the injury which would arise from scalding, which, of course, is the greatest danger?—Danger will arise from fragments.

581. The fragments may touch one or two, but the steam might touch everybody; you do not approve of the boiler being inside the car?—I think if it came to a question of saying whether a certificate should be granted for a self-contained steam-car, one would not feel justified in refusing it on account of the boiler being in the car.

582. For instance, we do hear of cases of boilers bursting?—Yes.

583. What would be the effect if a boiler were to burst inside a car full of passengers; would it not be very dangerous if it were enclosed in a car with passengers?—No doubt the results would be more serious than if it were otherwise.

584. Do you think it is possible to have a steam-car, with more than one carriage attached to it, on an incline of 1 in 13?—No, I do not think that would be right.

585. Do you think it might be done?—It might be done with continuous brakes, but it would be absolutely necessary to have continuous brakes.

586. You think it might be done?—I think it might be done, but I do not think that it would be a place in which to recommend that it should be done. It would require an exceedingly good brake arrangement; but the thing would cure itself, because it would never contemplate carrying two cars up a steep; in fact, they could not be got up. It would be difficult to get one up, to say nothing of two.

587. But still, with extra power, they could get up two?—It would not be worth while to use such extra power as would be requisite.

588. You think there should be power to stop these steam-cars, at all events, in 10 or 15 yards?—That is my opinion.

589. Then you do not agree with the former witness when he said that you could stop a steam tram-car in a less distance than you could stop a horse tram-car?—I do not know about the comparison; I have never seen steam tram-cars stopped within the short distance that has been

Mr. *Bates*—continued.

spoken of; my experience is that they require 10 or 15 yards in which to stop.

590. You have seen horse-cars stopped?—Yes; but I have never made notes of the distance in which they are stopped; it depends upon the speed at which they are going, &c.

Sir *Graham Montgomery*.

591. Who was the maker of this steam tram-car that you have referred to?—Robertson and Henderson, two young engineers of Glasgow.

592. Where did you commence and end your journey?—We began at the Post Office, or close to the Post Office, and then went along Princes-street, turned to the left past the Lothian Road station, and then made a detour, and came round across Canongate, over the bridge, and so back to where we started from.

593. In the afternoon?—We started about three o'clock, and got back about four o'clock.

594. Besides the company's officials, had you any of the corporation officials with you?—There were some.

595. Did you hear them express any opinion as to the practicability of applying steam on the tramways in Edinburgh?—I think it was the first baillie who expressed himself very much pleased with the result, and that it was much better than he had anticipated, or words to that effect

596. You yourself were very well pleased with the trial in Edinburgh, were you not?—Yes; it was a very satisfactory trial.

597. The gradients there being probably steeper than in any of the other places you had visited?—Yes.

598. Great complaints have arisen in consequence of the cruelty to horses, owing to the incline?—Yes.

599. Do you think if steam could be used in Edinburgh, it would obviate that to a great extent?—Yes; I should have said that, after returning to the Post Office, we went down to Portobello. In returning from Portobello there is a very long incline; it is not a severe one as regards gradients, but it is a very long one; it is a very trying pull, it being one in 22 for a mile or a mile and a half.

600. The engine came up that incline very successfully, did it not?—Yes, without any difficulty.

Mr. *Denis O'Conor*.

601. In France the tram-cars always run by the side of the road; and not in the centre, do they not?—Not always; at Rouen they were running on the side of the road because the side of the road was paved, and the tramway company had got authority from the road authorities to lay a tramway along the paving; had they gone in the centre of the road it would have been more expensive to them.

602. Do you see any particular objection to their running on the side of the road in country districts where there are no houses?—At Rouen there are wide roads.

603. I mean on either narrow or wide roads?—In some cases, on roads where there are no houses, I think it is an advantage to carry the tramway on the side of the roads.

604. They are more out of the way of the traffic there, are they not?—Yes; there is very often spare or waste ground on the side of the road

Mr. *Denis O'Conor*—continued.

road where it is desirable to carry the tramway, that is, where there are no houses to be interfered with.

605. If the rule with regard to having 9 ft. 6 in. between the outside of the rail of the tramway and the footpath were to apply to country districts as well as to towns, you would be precluded from having them on the side of the road in the country districts?—With regard to that, it might be well to make these rules elastic, so that they might be modified, to meet the requirements of any particular case.

606. You would have it so arranged that the local authorities might give power to them to run at the side of the road?—Yes.

Mr. *William Holms.*

607. And the frontagers?—The frontagers should have their present powers of objecting.

Mr. *Maurice Brooks.*

608. You spoke of the danger of committing to the hands of the driver the power of travelling at the rate of 20 miles an hour?—Yes.

609. Is danger in that respect likely to arise on suburban roads?—There would be no danger at certain times of the day when the road is tolerably clear, but the danger is in putting into the hands of the driver a power he may use very improperly at certain times.

610. It might be a great advantage on a suburban road which is clear early in the day?—I do not know about the advantage.

611. I want to know whether you apprehend any mechanical danger?—Mechanical danger would arise from the nature of the tram rails not being sufficiently good to allow of such a rate of speed being maintained with safety.

612. Then, besides the risk of collision, there would be danger from the lightness of the rail?—Undoubtedly.

613. Your experience will enable you to inform the Committee whether you think there is any difficulty in the education of horses to confront the steam-tram?—I have no doubt, that if steam is used largely on tramways that horses will be less frightened than they are at present; but there will be always a number of strange horses who will not be used to steam, and who will be frightened when they see it for the first time.

614. As in the case of artillery horses, it is simply a matter of education, is it not?—No doubt; but there are always fresh objects being brought under the notice of horses.

615. They may be educated in other places than on the public roads, where they would cause danger to others?—The fresh horses will be always frightened. Those that are habituated to the sight of the steam tram-cars will cease to notice them. But you will always have fresh horses cropping up.

Mr. *William Holms.*

616. May I ask you what engine is used in Paris?—The engines that have been hitherto used are those made by Merryweather.

Mr. *William Holms*—continued.

617. And at Rouen?—Merryweather, and Fox and Walker.

618. What engine is used at Liege?—At Liege they use the Varssen engine.

619. With reference to a combined engine and car at Edinburgh; how long had it been working there?—I think about a month; it had run about 2,000 miles.

620. In your experience, have you ever seen a combined engine and car working anywhere else than in Edinburgh?—I have only seen it experimentally at Birkenhead; that was the Grantham car.

621. In travelling in a combined engine and car, have you observed any difference in the amount of oscillation and vibration when compared with riding in a car drawn by a locomotive?—I think there is rather more oscillation in a combined engine and car than in a car drawn by a locomotive. But it is quite a new thing, and, no doubt, great improvements will be made in the construction.

622. So far as regards the length of the combined car and locomotive with the separate locomotive and car, is there not a considerable advantage in the former occupying less space, and therefore being pulled up more quickly?—Certainly, the combined engine and car is just the length of the ordinary car, whereas, the other is the length of the car plus that of the engine drawing it.

623. Has your attention been at all called to the difference in cost between using steam *versus* horse-power?—No; I cannot give the Committee much information on the subject beyond what I have stated.

Admiral *Egerton.*

624. Do you think the extensions that you mentioned in Paris and elsewhere, are likely to furnish this Committee with any very valuable data as regards tramways?—I am afraid they would hardly be in time for your purpose.

Mr. *William Holms.*

625. From your experience in connection with railways, can you give the Committee any idea what proportion of all the people killed in any given time upon railways are killed by the bursting of boilers?—No; the bursting of boilers is a very rare occurrence upon railways.

626. Exceedingly rare, is it not?—Yes; I do not remember the case of a passenger having been killed by the bursting of a boiler upon a railway for a very long time.

627. Do you know any case at all of a boiler bursting on a railway within the last three or four years?—Yes; as a rule they are about two per annum, or something like that. The number of boilers that have burst has very much diminished within the last 15 years. The construction of boilers has been much improved. I think the records of the Board of Trade give an average of two per annum.

628. Out of about how many locomotives?—I do not remember the number.

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Mr. GEORGE RICHARDSON, called in; and Examined.

Mr. *Richardson.*

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Chairman.

629. You are the Chairman of the North Metropolitan Tramways Company?—I am.

630. You have considered the question of the application of mechanical power to tramways?—I have.

631. Is it your opinion that it would be of advantage to the tramway companies?—Yes.

632. Can you specify any points that you wish to bring out as indicative of the advantages that it would confer upon tramway companies?—There would be a reserve force applicable for any emergency, such as in fine weather, reviews, or anything of that sort, or any local exhibition. On such occasions as those, when there is likely to be an increase of traffic, an engine force could be brought into play which you could not have with horses, because you would have to keep so many horses in reserve that it would be actually unprofitable. You could only run from one week's end to the other, or from one month to the other. Except in summer, where you might put in a few extra horses, you cannot keep a reserve of horses, because they are too expensive.

633. Is it your opinion that, with reference to horse-power as compared with steam, there would be a saving in horse-power?—I do not think so.

634. Is that answer founded on actual experience?—I have looked into some of the figures of the Vale of Clyde Company, and I find that the cost to the contractors in that case is 5*d.* per mile. On the North Metropolitan Tramway, where we horse through the General Omnibus Company, and we pay 6½*d.* per mile. Taking into consideration the repairs, and extra care which which we have to take of the roads, I do not believe that the company would save anything per mile; but it would be in the extraneous use of mechanical power where the company would make more money than it does at present.

635. Will you explain what you mean by the term "extraneous use of mechanical power"?—I mean the latent power which you could always make use of which there is in the engine. The engine does not eat. You can lay it up in ordinary, as it were, until wanted. You cannot keep horses in reserve except at a great expense, and if you keep a number of horses which you do not use, they would be, to use a common expression, eating their heads off. If the traffic were not to keep up to the rate that was anticipated with regard to the engine, you would only have to keep it in reserve without any expense.

636. You would have to take into account certain obligations which would be imposed upon you, if you were permitted by Parliament to use mechanical power?—I am taking things as they are at the present moment.

637. What conditions have you got in your mind?—The conditions laid down by the Board of Trade.

638. Speaking generally of those conditions, do you think them reasonable or not?—So far as the Board of Trade is concerned, I think tramway companies are very well satisfied with the Board of Trade being the court of ultimate appeal with hard-and-fast lines. Speaking of the 35 feet, that is an arbitrary line which the Board of Trade could not go beyond, whereas if they had latitude we could take all circumstances into consideration.

Chairman—continued.

639. Would you extend that latitude throughout, and have no regulations at all?—The local authorities, in the first instance, put unnecessary conditions, as we contend, upon the tramway companies. Sometimes it is a question of terms with the local authorities as to how much they can get out of the tramway companies. The probability is if steam upon tramways were allowed, they would insist upon certain conditions being complied with not quite irrespective of the public interest.

640. You think that generally the thing might be left to be battled out between the promoters of the company and the local authorities?—With a power of appeal to the Board of Trade.

641. Or rather reserving the right to the Board of Trade to decide upon the matter?—Yes.

642. Would it not facilitate matters very much if instead of reserving this right of appeal to the Board of Trade in the last instance, that in the first instance regulations should be established?—If you could agree upon reasonable arrangements with the local authorities.

643. I am speaking of the general interests of the public; looking to these regulations, should you say that there was anything in these regulations which are before the Committee which was manifestly unfair or unreasonable?—Only so far as the public is concerned. The great thing is to take into consideration the safety of the public, and to see that they are not charged an excessive rate; but I do not think that comes within the scope of the regulations proposed by the Board of Trade.

644. Then one of your objections is to specify the minimum width of 35 feet?—Yes, if we take any line; that we have now on the North Metropolitan Tramway.

645. That refers to a street as distinguished from a road?—Quite so. In any part of our system where you chose to run from. If the right to use steam was granted upon the North Metropolitan line, we could not run through with that restriction. There is not a single line which shows a less width than 25 feet at different points.

Mr. Bates.

646. Which is the narrowest point on your existing trams?—I should think about 16 feet with a single line; that is just a narrow gorge.

Chairman.

647. That is the narrowest part?—Most of our lines are double lines.

648. In the case of double lines, what would be the narrowest part through which they run?—Our engineer, who, I understand, is going to be a witness, will give you the exact distance. All our lines are in crowded thoroughfares.

649. You are speaking now of the application of steam to the existing horse tramways?—Yes.

650. Did you hear the remark made in this room to-day with reference to the question of a horse tramway being a sort of preparatory stage before getting to the use of mechanical power?—That

Chairman—continued.

—That arises from our not having been allowed to experiment, in order to see whether a steam-engine is applicable or not. The restrictions upon using an engine have been prohibitory. If it were made a condition precedent that we should have horses first, and then try engines, we should in the first instance have to provide a stable and horses, and then afterwards sell those horses and the buildings which have already been erected, and re-constitute the whole of our mechanical system, as it might be called, for working. Therefore we should have to rebuild our sheds, pull down our stables, and buy the engines. The consequence would be our stud of horses would cost 450 *l.*, and an engine to do the same work would cost 900 *l.*

651. Are you aware that existing companies, with power to run horses upon tramways, are making application to be allowed to use steam?—Yes.

652. They do that in the face of the objection which you have specified?—They do. It is an unnecessary waste of capital.

653. If steam were applied to a tramway, in what respect do you think a steam tramway would differ from a railway, so far as considering the question whether it should be free from the obligations of taxation which apply to a railway?—Because our fares are much lower; we run shorter distances, and we take up the public at any point. There are some places from which we carry them for 2 *d.* for three miles, for instance, from Stamford Hill to Shoreditch Church. We carry passengers from Abney Park to the City, which is a distance of three and three-eighths miles, for 2 *d.* I do not think there is much margin for the Government to impose a tax upon us with such rates as those. Then there is another distance of two and a quarter miles, for which we carry passengers for 2 *d.* There is another distance where there is great competition of four miles, for which we carry passengers for 2 *d.*, and another distance of two and seven-eighths miles for 2 *d.*, and another distance one and a half for 2 *d.*, and so on. We have a great many rates. Since the 9th December 1870, we have carried 141,000,000 passengers.

654. I understood you to say, that you think it would be better in fact to draw up rules and regulations by a central authority, imposing bye-laws, and that you would rather leave it to the discretion of the local authority; you are aware, are you not, that the existing Tramway Act subjects you, as a tramway company, to all sorts of rules and regulations?—Yes.

655. Would your remarks go to this, that you would rather have no general Act regulating tramways, and leave the whole thing to be settled?—I am speaking more particularly of the arbitrary rule as to width.

656. I thought your remarks extended to the whole of the regulations?—No.

657. Would you object to any of the other regulations laid down in this paper?—I object to the rule as to making arrangements with the corporations. The two months they are allowed, gives them power to get you so far into Parliament, and it commits you to so much expense, that they actually make use of that power to give them such a handle that they may extort any terms they please from you.

658. You think the two parties would not be on a footing of equality in making the contract?—Certainly not.

659. In short, your only objection to this schedule of conditions is the arbitrary width of the street?—Quite so.

Chairman—continued.

Mr. *Richardson.*

4 April 1878.

Mr. *Bates.*

660. The compulsory power?—Yes.

661. How will it answer, supposing the tramway company had compulsory power to take these streets from the corporation, and you could not agree?—The Board of Trade would certainly see what is a fair and reasonable rate. That is the reason I ask for an appeal to the Board of Trade.

662. In regard to taking the roads?—Yes.

663. You say they might extort any terms they like?—Yes.

664. Could you not go to arbitration; would not the proper course be to give you compulsory powers, and go to arbitration, if you could not agree?—That would be the same thing. We want an appeal from the local authorities.

665. But not necessarily to the Board of Trade?—The Board of Trade generally are very reasonable. We should prefer to have an arbitration clause, or a court of appeal.

666. In fact, you simply want protection from exorbitant demands made upon you by corporations, or by local authorities?—That is so.

Mr. *Maurice Brooks.*

667. Do you find that the low fares, of which you speak, are induced to some extent by competition?—That is so.

668. Do low fares increase the traffic?—To a certain extent they do. The mere fact of bringing the fare down to 1 *d.*, or something lower than that, would simply be that neither party would run.

669. In fact, the line must be drawn somewhere?—Yes.

670. You were referring to the question of the passenger duty, or other liabilities that may be imposed upon you by Government; I should like to ask you whether you are now subject to any taxation from which railway companies are free, for instance, such as the Hackney Carriage Duty?—Yes. We pay 2 *l.* 2 *s.* a year for the license; we keep the roads in repair, and we are taxed generally.

671. Do you know whether the Hackney Carriage Tax is devoted to Imperial or to local purposes?—I cannot say. I do not know how the Government make out their accounts. All I know is, that in Dublin we pay 8 *l.* 8 *s.*

672. Are you connected with the Dublin Company?—I am a director of the Dublin Company.

673. Are your fares in London higher than in Dublin?—No.

674. Are they less?—They are less in London than in Dublin. The traffic in London is totally different to the traffic in Dublin.

675. That is to say, that with the higher price in Dublin you have less passengers; is that what you mean?—We naturally carry less passengers in Dublin than in London.

676. Your fares are nearly double, are they not?—Nearly.

677. You have no 1 *d.* fares in Dublin, except at six o'clock in the morning?—We have only one 1 *d.* fare in London, and that is at Leyton-

Mr. *Richardson.*

4 April 1878.

Mr. *Maurice Brooks*—continued.

stone, where our carriage factory is. We carry only 300,000 passengers a year there, whereas we carry 24,000,000 passengers on the other routes. So that bringing it down to 1 *d.* does not at all increase the traffic at the rate that might be supposed.

678. You carry 4¼ miles for 2 *d.*?—We have one 2 *d.* fare in Dublin, namely, on the Kingsbridge Road.

679. The fare in London for four miles would be 2 *d.*, whereas in Dublin, from Nassau-street to the Post Office, which is only half a mile, would be 2 *d.*?—The fare for half a mile in London would be 2 *d.* A person can go a distance of four miles for 2 *d.*

680. Do you know Dublin?—I do.

681. Supposing a passenger were to go from St. Stephen's Green, or Dawson-street, to Clare-street, which is a distance of half a mile, what would he have to pay on your tramway?—Fivepence. He would be very foolish to do that. A man ought to walk that distance.

682. That would be three quarters of a mile?—Yes.

683. You mean he ought to walk rather than pay 5 *d.*?—Yes.

Mr. *Maurice Brooks*—continued.

684. But suppose he could go for 1 *d.* or 2 *d.*?—I do not think it would pay the Dublin Company to take him for that.

685. With your experience of the development of tramways, and the reduction of fares, I ask you whether passengers would not be induced to avail themselves of the low fares of the tramway system, if the fares in Dublin were somewhat in correspondence with those of London, and I instance those two points from St. Stephen's Green to Clare-street?—You put a question which requires a great deal of consideration. It would not answer the purpose of the tramway company in Dublin to take passengers at the same comparatively low fares as in London, for there is not the actual traffic.

686. Can you have the traffic if the fares are double rates?—What would become of the long distance people?

687. That is not the question I asked you; the fares are double rates, are they not?—In some instances they are.

688. Are not wages, and fodder, and horses very much cheaper in Dublin than in London?—The price of horses is the same.

Thursday, 11th April 1878.

MEMBERS PRESENT:

Mr. Bates.	Sir Graham Montgomery.
Mr. Maurice Brooks.	Mr. Denis O'Conor.
Admiral Egerton.	Mr. Peel.
Mr. Holms.	Mr. Pemberton.
Mr. Knight.	

ARTHUR PEEL, ESQ., IN THE CHAIR.

Mr. WILLIAM LYSTER HOLT, called in; and Examined.

Mr. *Holt.*
11 April 1878.

Chairman.

689. I BELIEVE you are an Engineer?—I am.

690. And your experience with regard to tramways has been considerable, has it not?—It has.

691. Have you been connected with the steam traction tramways in Paris?—I have, since the end of last October.

692. Are you connected with them now?—I am. I am "Le Directeur et l'Ingénieur en Chef de la Traction à Vapeur," equivalent in English to "General Manager and Engineer in Chief of the Steam Traction."

693. We have heard that steam has been discontinued on the Paris tramways; can you give an explanation of that fact?—The principal cause was, that the tramway company who owned the lines and the contractor (for the steam traction) could not agree upon the remuneration to be paid, and, therefore, as the contract ended on the 28th of February, it ceased by mutual consent.

694. Was there any objection on the part of the municipality?—Not in the least; in fact this very morning I have received a copy of the "Siècle," in which it says that the Minister of Public Works is about to bring forward a *projet de loi* to subsidise railways and tramways all over France, on condition that some mechanical means is used for the traction.

695. Do you mean that some mechanical means is used for traction other than horses?—Other than horses; that is, the subsidy varies to the extent of 4,000 francs to 2,000 francs per kilometre per annum.

696. With regard to the engines that were first used on the Paris tramways, something had been said before this Committee as to their being too light; is that your opinion?—Yes.

697. You consider that they were too light for their work?—I consider that they were too light for their work.

698. Has that defect been rectified?—Yes; we have since had from the same manufacturers some heavier engines.

699. Did the defect display itself in an inability to go up any gradient?—No; not in that way; the defect was in the moving parts; all the working parts of the engine had been built too slight; from want of experience that manufacturers had had in this class of engines, they could not foresee the necessity of making greater provision than on railways for the wear and tear.

Chairman—continued.

700. Were the rails laid down in any special way?—They were laid down in Paris much in the same way as for ordinary tramways, and were not at all suitable for steam traction.

701. But I suppose that now they will be laid down to suit the heavier engines?—No, we shall run over them still, and I am afraid that the cost will be much greater from that cause.

Mr. *Holms.*

702. From what cause?—The heavier engines will cause more wear and tear on the rails.

Chairman.

703. And will they also be more likely to cause danger?—No, I do not think so; the wear and tear will be increasd upon the engines also from the defects in the permanent way; the rails sink down on the Paris tramways; they are merely laid on longitudinal sleepers; these sleepers are only the exact width of the rail, instead of being two or three times the width. If a longitudinal sleeper is adopted, it ought to be a sleeper of a similar kind to what the Great Western Railway Company used to use, and do use now, on the broad gauge, in some parts.

704. What is the gauge of the Paris tramways?—Four feet eight and a half inches.

705. Without the sleepers?—Yes.

706. In view of this subsidy from the State, and in view of the feeling with regard to tramways in Paris, are you making any preparations for building a larger number of engines?—Yes; a company (La Compagnie de Fives Lille) in France is building six engines for the southern tramways, and a firm in England, Messrs. Merryweather & Sons, is building 30 more.

707. Are they for Paris?—Yes, they are for Paris.

708. With such experience as you have had, it would be very useful to the Committee if you would direct your attention to some of the conditions and regulations that are projected to be laid

Mr. *Holt.*

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Chairman—continued.

laid down for the management of steam tramways; have you any observations to make upon the regulations and bye-laws now before the Committee; for instance, I will take the indicator and the recorder; have you anything to say as to the necessity of obliging tramway steam-engines to carry this indicator and recorder?—I think that it would lead to many complications; if you had an experienced man (engine driver), and leave it to his judgment, it would be far better. Most of these instruments are very delicate, and though they will work for two or three days, or two or three weeks, when there is wear and tear, they naturally get out of order; my opinion is, that for this class of traffic you want the most experienced men that you can get.

709. And you would attach the responsibility to the men?—Yes; I would attach the responsibility to the man. With all these appliances, if an accident happens, the man naturally falls back upon his self-acting gear, and shirks the responsibility.

710. Have you any remark to make about the brake power, which is another condition suggested?—I think it is highly necessary that a brake should be applied to the carriages, and that it should be under the control of the driver, as well as the conductor.

711. Would you impose any regulation of drawing up within a certain distance, or would you advise that the brake power should be sufficient?—The brake power should be sufficient; the brake power will depend entirely upon the load, road (*i.e.*, gradient), and upon the speed; that is to say, it would be impossible if they were travelling at the rate of 12 or 14 miles an hour, to draw up in the same distance as if the carriage was travelling at the rate of six miles an hour.

712. There is a limitation of speed, is there not, upon the Paris tramways?—Yes, 12 kilometres, or nearly eight miles per hour in the town; and 16 kilometres in the less frequented parts of the suburbs.

713. How do they draw the limit between town and country; is there any rigid demarcation?—No, it is regulated by the police.

714. Do they decide whether it is town or country?—Yes, they are guided by the traffic in the particular portion.

715. Is there any difference in the regulations applying to the one or the other, except as to speed?—Not in the least.

716. Is there any limitation as to the width?—Not that I am aware of. The tramways in Paris are all laid over very wide thoroughfares.

Mr. *Bates.*

717. What is the width of the roads?—There is no road under 50 feet between the kerbs.

Chairman.

718. Is there any obligation as to whistles or bells?—Yes; the drivers or firemen have a small horn, that has a sound very much like a cow's horn; and that is blown every time they wish a vehicle to get out of the way, and the vehicles are compelled to leave the tramways clear, on the first sound of that horn.

719. Is there any fender attached to the engines?—Yes.

720. Is it in the nature of what the Americans call a "cow lifter"?—No; there are frames coming down within three inches of the line, and if any persons fell down, it would push them along simply.

Chairman—continued.

721. Speaking from your experience of tramways in France, and with your knowledge of the conditions under which it would be possible to lay them down in this country, would you advocate any restriction as to the width of the roads, in the interest of public safety?—I do not think it would be necessary for the public safety; because I hold the opinion that the driver of a steam-engine on a tramway has far more control over it that the driver on a horse tramway; but it might be necessary with regard to blocks of traffic to have restrictions.

722. What would be the average speed at which your steam-engine would travel upon the tramways, as compared with the average speed where horses are used?—We are going to run a distance of six kilometres from the Bastille (*i.e.*, Place de la Bastille) to Charenton in 30 minutes; the horses now take from 37 minutes to 40 minutes to do the same distance.

723. And going at your maximum speed, in what distance could you pull up?—Eight yards; that would be on a descending gradient of one in 50.

724. Does the municipality impose any restrictions as to the emission of steam or the products of combustion?—They are very strict about smoke; and about steam, if it goes from a defective part in the machinery, such as blowing from the joints of the cylinders; there were very stringent rules that steam should not appear from the chimney.

725. Were those rules laid down by the municipality?—Yes.

726. Were they in the nature of bye-laws?—Yes.

727. Are they in existence now?—Yes, but they (the rules that steam should not appear from the chimney) have fallen into abeyance; we found it impossible in some weathers, with the engines that we have had, which are non-condensing, to entirely get rid of the steam; and it is found to be no practical inconvenience whatever, and the bye-law in that respect is practically ignored; there are no summonses issued against the company for allowing steam to escape.

728. Have you any copy of the bye-laws laid down by the municipality which you could furnish for the use of the Committee?—I have not them with me now, but I can send them to the Committee.

729. It would be very useful if the Committee could have a copy; is there any regulations as to the pressure of steam?—The engines are tested to a water pressure of 15 atmospheres by the Government inspector, and before an engine is allowed to run, a stamp is put upon it to show that it has been inspected.

730. What security is there that the engine will be kept up to the requisite efficiency; is there an annual inspection?—No; it is only a preliminary inspection before the engine goes out. If the engine has a thorough repair, or any work is done to the boiler to any great extent, the municipality have to be advised that would be done naturally by the engineer in charge, and relieve him from a great deal of responsibility.

731. Of course if the minimum width of the street over which your tram travels is 50 feet, I suppose you have not observed so much about the

Chairman—continued.

the horses being frightened; in a wide road there would be less danger of the horses being alarmed, would there not?—Yes. I was very much astonished to notice at first, when I went to Paris, how little the horses took notice of the engines.

732. Do you think they would be frightened in a street of that width?—No.

733. The question arises whether, if the street was much narrower, there would be any danger to horses?—I think not; in a case that I know of, where a railway runs parallel with a public road for some two or three miles, and there is a low iron fence separating it from the road, the horses are not frightened. It is in Jersey; there, perhaps, the horses have got quite used to it. Those horses that I observed which were most frightened were generally cavalry or artillery horses.

734. As to the point of inspection by the municipality of the engines, I understood you to say, that when the company made any repairs of a substantial nature in the boilers they report it to the municipality?—Yes.

735. Would the municipality be satisfied with that report, or would they send an inspecter?—They would send an inspector down.

736. Who would their inspector be?—A competent engineer.

737. Would he be in the regular employment of the Government, like an inspector of the Board of Trade?—Yes. I may mention that they have now recently issued a rule that all drivers shall have a certificate from the municipality to ensure having a competent and steady man. I believe that is a great necessity for tramways.

738. Would not it be to the companies' interest to look after the characters of their men?—Yes; but, practically, every workman in France has to have a *livret*, a little book where all his services are recorded; where he has been and when he left the different places, and no firm is allowed to take on a man without he has a *livret*.

Mr. *Bates*.

739. Does the Government take the responsibility after having examined this man?—No, the company take the responsibility.

Mr. *Maurice Brooks*.

740. Are the drivers mechanical engineers or men accustomed to driving horses?—They are men accustomed to driving engines. They are generally selected from men who have been on railways.

741. They are not men having experience of driving on roads?—No.

Chairman.

742. Is the *livret* in force in the case of ordinary railway drivers?—Yes.

743. But in the case of an accident, I understand you to say that the company are still liable?—Yes.

744. Notwithstanding the certificate of the Government?—Yes; the Government merely examine the drivers as to their capacity, and whether they have had sufficient experience to be trusted with an engine on the road; the principal part of the examination is merely to test their qualifications as to whether they can work the injector, pump, boiler, and other matters, for the safety of the public.

Chairman—continued.

745. Is there any regulation as to such points as where the passengers shall get into the tramway car?—No, the driver can stop anywhere.

746. I refer to the part at which they shall get in, either in the front or the rear?—The passengers are only allowed to get in at the rear.

747. Is there any regulation as to the engine being separated from the tramcar?—No.

748. It is permitted to be homogeneous with the car in which the passengers travel?—Yes; the tramway "Nord" and the northern system of tramways are going to make a trial of various engines, one in the car itself, another separate from the car, and another engine will be worked with compressed air. Up to the present time it has all been in its infancy, and people can hardly make up their minds as to what class of engine will be most economical.

Admiral *Egerton*.

749. Have you any preference yourself for any particular engine?—Yes; I would rather have the engine separate from the car.

Chairman.

750. Is there any regulation between the company and the municipality, as to the part that the company shall take in the repairing of the roads that they disturb or run over?—It has not come within my province.

751. You cannot speak to that point?—No, I cannot.

Mr. *Holms*.

752. How long has mechanical power been used on tramways in Paris?—About two years.

753. During that time have there been many accidents?—Not many; there has only been one serious accident.

754. Will you tell the Committee how that arose?—From an omnibus coming from a side street, at a very fast pace, it was overturned.

755. That might have arisen, supposing the car had been drawn by horses, equally well, I suppose?—Yes.

756. Do you think, from your experience, that there is more liability to accident on a tramway system, where mechanical power is used, than on a tramway system where horses are used?—I say there is far less; it is far more under control, and as I have mentioned, if the brakes on the carriage were insisted upon, there would be still less liability, because frequently the loaded carriage weighs heavier than the engine; if you had brakes upon those wheels, it would be better; the driver should use the brake on the carriage as the ordinary brake, and should use the one on his engine as a reserve.

757. You referred to the lightness of the rails used on the Paris system of tramways; are they lighter than those that are used in this country?—No, they are steel rails, weighing about 40 lbs. to the yard.

758. Are the rails laid down for the tramways in this country better suited for mechanical power than those in Paris; I refer either to the weight of the rail or the mode of laying?—I think that the rail is defective in shape altogether. I say that we ought, for mechanical power, to adopt a rail more like the form used on railways; a flat-bottom rail, commonly known as a Vignoles rail, but with head suited for tramways.

Mr. *Holt*.

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Mr. *Holt.*

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Mr. *Holms*—continued.

759. In Paris, I understand, the locomotive is separate from the carriage that it draws?—Yes.

760. Does a locomotive, as a rule, draw one or two carriages?—On the Paris tramways we have drawn two carriages, but that generally has been for trials.

761. You expressed a preference for having the locomotive separate from the carriage which contains the passengers; have you had any experience of what I may call composite carriages; that is, carriages in which you have the steam power and the passengers together?—No, my preference is given for this reason, that, I think, in the case of a break down, or accident, the road would be much more easily cleared by having the engine separate from the carriage.

762. But you have not seen in actual operation any composite carriage?—No.

763. You referred to the fact, that the carriage can be pulled up in a distance of about eight yards, where the gradient was 1 in 50; in what distance could it be pulled up on a level street?—Three yards.

764. What is the steepest gradient that you have on your system?—One in 50, for about 900 yards.

765. So that you really have no very steep gradient?—No.

766. As to the question of regulation, would you approve of having a regulation, first, as to break power?—Yes.

767. Secondly, would you approve of having a regulation as to speed?—Yes, I think that there ought to be.

768. You think that there ought to be a maximum speed at which they ought to go?—Yes.

769. And thirdly, would you approve of having a regulation as to the pressure of steam upon the boiler?—No, I think that that would not be necessary; the higher the pressure of steam the lighter would be the machinery within certain limits; it is possible to have a boiler of such a form that it would be of very little weight, and still use very high pressure on it.

770. I understood you to say, that you had a regulation in Paris as to the pressure?—Yes.

771. But you do not think it necessary?—No.

772. Would you think it necessary to have a regulation in reference to the mode of ingress and egress from the car; that is, that the passengers should all go in behind, and not be allowed to go in either in front or the side?—I do not see any necessity for it.

773. Are you aware of any cases of accident happening by allowing the passengers to get in at the side?—I am not aware of any having happened.

774. Are there any other regulations that you would like to suggest, of a general character, as being necessary, beyond having regulations as to break power and speed?—Yes, that the driver should possess a certificate of competency.

775. Do no other regulations occur to you besides those?—Yes; I think it is very necessary that, in the case of a restive horse, or anything of that sort, an order should be given that the engine is to be stopped immediately; that should be insisted upon.

776. I think I gather from what you said, that you are not disposed to have too many rules and regulations; you would rather have a thoroughly efficient man, and leave to him the responsibility?—Yes.

Mr. *Maurice Brooks.*

777. In what time, in your opinion, would a man, otherwise inexperienced, be competent to conduct or drive one of the road engines?—It would really depend upon the capacity of the man as to how long it would take. My idea would be to educate the man, and let him commence in the shop as cleaner, then to act for a certain time as fireman, and if he obtained a certificate from the Board of Trade, or some other competent authority, and a vacancy occurred, he should be promoted.

778. Do I understand you then to say that you attach more importance to the mechanical knowledge of the construction of the locomotive on the part of the driver than to his experience as an omnibus driver?—Far more.

779. Take the case of an ordinary shop mechanic or carpenter, in what time do you think he could be instructed so as to be able to manage an engine of this character?—He could be instructed probably to drive it, as far as knowledge of speed was concerned, in six months; but I should be very sorry to put a carpenter on an engine and let him have perfect power to control its movements. A man must be brought up as an engineer and fitter.

Mr. *Bates.*

780. What is your steepest gradient in Paris?—One in 50 on the lines that we are working.

781. And you say that you have no difficulty?—Not the slightest.

782. Do you find any difficulty in coming down hill?—Not the least.

783. How would it be supposing you had a gradient of 1 in 13?—It would be very much more difficult to stop.

784. Do you think that you could stop, supposing that you had two cars behind?—Yes, if they had brakes upon both of them.

785. You say that your streets are 50 feet minimum width?—Yes.

786. Would it be equally safe to have steam tramways in streets from 20 to 25 feet wide, where there was a great traffic going on?—It would be perfectly safe as regards the traffic, but it would be the block that I should fear.

787. What do you men by a block?—A tramway engine cannot deviate or shift a little from one side to the other, it must keep on its track.

788. How would it be in the case of a block in the street; they would have to stop, would they not?—Yes, it would be much the same as where two streets cross at right angles; it might be necessary to have policemen or other inspectors to regulate the traffic there.

789. And you say that if the driver of a steam engine attached to the carriage fell in with a restive horse he ought to stop?—He ought to stop.

790. And you think that that is imperative?—Yes.

791. What would be the consequences in a distance of three miles if you fell in with 100 restive horses, which is very likely in a crowded thoroughfare?—It would create delay in a steam tramway.

Mr. *Holms.*

792. Have you ever found any great number of horses really restive?—No, very few indeed. The principal accidents we have had in Paris have been from horses being left alone without any conductor.

793. They

Mr. *Bates.*

793. They are generally a queer sort of horse in Paris, are they not?—They are not like the best cattle that I have seen.

794. They are not like our best English bred horses?—No, the horses in Paris generally are not equal to the English.

795. Do you really mean to tell the Committee that you can stop a steam-engine, driving at the rate of six miles an hour, in the same distance that a horse tramway can be stopped in?—Yes.

796. Where do the passengers enter the cars in Paris?—Behind.

797. All behind?—All behind; at the end of the journey, one end of the carriage is stopped up, and the passengers enter the other, and the engine is attached on the other end.

798. Do you think that they would allow steam tramways in Paris in a crowded thoroughfare of from 20 to 22 feet, or 25 feet wide?—Yes, I have very little doubt that in a few years steam will supersede horses upon the tramways in Paris.

799. On any width of roads?—Yes.

Chairman.

800. Has there been any attempt to lay steam tramways in the narrower streets?—No.

801. Have the municipality interfered in any way?—No.

Mr. *Holms.*

802. I did not understand you to say that the minimum width of the streets required for tramways was 50 feet; but the fact is, that the streets in which the tramways are are not narrower than 50 feet?—There is no limit whatever to the width.

Mr. *Bates.*

803. You say that there is no street with tramways in Paris of less width than 50 feet?—I cannot answer that; I am only speaking of the steam tramways with which I am connected.

804. Then you are not connected with all the Paris steam tramways?—No, they belong to many different companies.

Mr. *O'Conor.*

805. Have they horse tramways in the narrow streets?—I really cannot tell you. I should be sorry to fix the width of the streets; they have tramways running all over Paris.

Mr. *Bates.*

806. Supposing that you had a steam tramway in a street 20 feet or 25 feet wide, where there was a great traffic going on, how would the traffic be carried on by carts or wagons; you must have a siding, I suppose?—Yes, it would be necessary to have sidings if you only have a single line.

807. You could not have a double line in a street of only 20 or 25 feet wide, could you?—No, I do not think so.

808. You would have to have a siding in that case?—Yes.

809. What width of that road would the siding and the tramway take up?—Fourteen feet from the outer rails of the siding, and the outer rail of the main line.

810. How much do the cars project over the rail?—The width of the car is six feet.

Mr. *Bates*—continued.

811. Then it would be what altogether?—It would be 12 feet, and 2 feet between each car; that would make it 14 feet.

812. That would be on both sides, would it not; what distance must you have between the siding and the tramway?—Three feet.

813. How near to the kerb do you go on the other side, the kerb side?—I should keep in the centre of the road as much as possible; I should not go near the kerb.

814. Then in that case you would effectually block the street when you come to the siding, would you not, because there would be only four feet on each side left?—You would for the moment when passing.

815. In fact, you would stop the traffic, would you not?—Yes.

816. Will the people of Paris allow that?—I think so; there is a very strict regulation that everything shall move out of the way for the tram.

817. Do you think that the people of England would put up with that, where there is great traffic going on in the narrow streets?—I am hardly able to say. I think that there would be some difficulty about it; there would be a great deal of noise.

Mr. *Pemberton.*

818. Besides being acquainted with Paris, are you acquainted with London?—Yes.

819. And, I daresay, you have seen many a block in Bond-street in the season?—Yes.

820. Do you think that a block occasioned in this way would be greater than a block occasioned by a string of carriages in a narrow street in London?—No; I do not think that it would.

821. I think you said that the average width of the streets in which there are tramways, with which you have been connected, is 50 feet?—Yes.

822. In those cases, I suppose, the tramways have been laid in the centre?—Yes.

823. Have you considered whether in very narrow streets it would be desirable to have the tramway at the side, or in the centre?—I should prefer it in the centre; it would lead to such great public inconvenience if a vehicle wished to stop in front of a shop, or whatever might be the cause, if put at the side.

824. For the mere purpose of passing, would not it be more convenient in a very narrow street to have the tramway at the side, than in the centre?—No, if the steam tramcars ran every 10 minutes, and there was a wagon discharging, it would be very awkward for the wagon to have to move every time.

825. You speak of a vehicle already stopping at a house?—Yes. I may mention that it is not always necessary to have a siding in a narrow street; you can regulate your traffic as you do upon a single line of railway.

826. In the case of a very narrow street, you would not have a siding in the narrow part, would you?—No.

827. You would have it at the beginning, or at the end of the narrow neck; and the driver could be able to see some distance in front of him, so as to see whether it was necessary to pull up?—Yes.

Mr. *Bates.*

828. Do you stop from door to door?—We stop anywhere.

Mr. *Holt.*

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Mr. *Holt.*

11 April 1878.

Mr. *Bates*—continued.

829. How would you do it in those narrow streets, if you had no siding?—We should stop on the main line, as you would on an ordinary line.

Chairman.

830. You would not lay down any general rule, that where there was a road of a certain width, the tram should be in the middle, and where it was of a less width, it should be at the side, would you?—No, I should incline to the centre of the road myself in all cases.

831. Is there any regulation in Paris as to the time of the day or night when these trams are allowed to work by steam?—Yes, the police issue regulations as to that.

832. That is a matter of police regulation, is it?—Yes, that is a matter of police regulation.

833. Are there any bye-laws laid down by the police, besides those that the municipality has laid down?—No, they generally act in concert; it is all done in the same department.

834. They would be included in the bye-laws which you thought you could furnish us with?—Yes, they are all issued from the prefecture of police.

835. After what hour are they allowed to work?—We work from 7 o'clock in the morning until 12 o'clock at night.

836. At all times of the year?—At all times of the year. I may mention that such a rule as that is generally arranged; the police would consult with the company as to what hours they would like to run, and would then issue regulations accordingly.

Mr. *Holms.*

837. It is a matter of careful arrangement, is it not?—Yes.

Mr. *Bates.*

838. If you say you put the tramway in the middle of a street, and that street was only 22 feet wide, you would block up the street entirely; carts could get on neither side, could they?—The carriage would only take up a width of 6 feet.

839. That would only leave 6 feet 6 on each side of the carriage, and a carriage or cart could not pass anywhere?—I think it would leave 8 feet on each side.

840. How can you make it 8 feet; you want a certain space for the tramway, do you not?—No; 6 feet 6 is the entire width of the tramway.

841. How would you manage with a 9-feet roller?—You would block the street; the roller would have to go by another road.

Mr. *Holms.*

842. Would there be any greater probability of a block occurring in the case of a tramway car drawn by steam than with a car drawn by horses?—No.

Mr. *Maurice Brooks.*

843. Are there entrances at the end of the cars corresponding to the stern post of a ship, or

Mr. *Maurice Brooks*—continued.

are they at the sides of the car?—The entrance is at the side.

844. At the hindermost end?—Yes.

844.* But at the side of the end?—Yes.

845. What is the objection to the entrance being at the stern post?—I do not know of any.

Chairman.

846. Is the entrance in front of the wheels?—No, there are guards in front of the wheels.

847. Is the entrance by which the passengers get into the car in the rear of all the wheels?—In the rear of all the wheels.

Admiral *Egerton.*

848. Is not the object of their getting in behind to avoid the sudden descent of the passengers into the road in the way of other carriages; is not that the idea of the principle?—Yes, and it is also to save the expense of perhaps two conductors.

849. As to the relative danger to the ordinary traffic of these trams travelling at night, is there any increase of danger at night from the fear of the lights, or the steam, or anything else being seen more easily?—No.

850. Do you think that the tram is safe at night, as far as ordinary traffic is concerned?—Yes, I think that the driver has as much facility for seeing that the road is clear as if he were driving an ordinary vehicle.

851. And do you think that it is also as safe as in the day, in the point of view of causing alarm to horses by their seeing the light from the fire of the engine?—The fire is not seen; there is a police regulation to the effect that no fire-doors shall be opened when running.

852. On the whole, at night you do not think the danger to ordinary traffic is at all increased?—No, I do not think that there is any greater danger in steam tramways than in ordinary horse tramways or vehicles.

Chairman.

853. In the event of the car being separated from the engine, would you think it necessary to have a guard, whose duty it would be to look after the brakes on the car?—Yes, the guard ought to have a brake as well as the driver of the engine.

854. Would it be necessary to have a self-acting brake to apply automatically when a certain speed was exceeded?—No, I would rather leave it to the driver; those are complications which are liable to get out of order, and it takes the responsibility off the men; in Paris, if the driver meets with an accident of any sort, he is always called up before the police and it is investigated, and if it is serious he is liable to imprisonment.

Mr. *Pemberton.*

855. It is a sort of coroner's inquest, whether a man is killed or not?—Yes, even if the man is not hurt.

Mr. GEORGE HOPKINS, called in; and Examined.

Chairman.

856. YOU gave evidence before the Committee last year, did you not?—I did.

857. We do not wish to go over any of the grounds that you travelled over last year, but if anything has occurred to you since, or, if you have gained any fresh experience, we shall be glad to have the benefit of it; you are engineer to the North Metropolitan, the Liverpool, the Dublin, and some other large Tramway Companies, are you not?—I am.

858. As this is a specific part of your examination, will you take in your hand the paper which has been issued by the Board of Trade, containing rules, regulations, and bye-laws?—Yes.

859. I propose to go over them and see what you have to say to them with your experience; the first clause provides that no steam or mechanical power shall be used on a road less than 35 feet wide where there is a double line, and not less than 26 feet wide where is a single line?—Yes.

860. Have you any remark to make upon that?—Yes, the first thing that occurred to me upon that clause was the difficulty of distinguishing between roads and streets; hitherto they have been dealt with as synonymous in the interpretation clause in the Act of Parliament.

861. What Act is that?—This is one of the earlier Acts; it says, "the expression 'street' shall mean a carriage-way, any street, road, thoroughfare, or place along or across which any tramway authorised by this Act is intended to be laid."

Mr. *Pemberton.*

862. That has only reference, I suppose, to that special Act?—I forget whether that is in the general Act or not.

Chairman.

863. That interpretation merely applies to that special Act, does it not?—I think it is in most Acts.

864. Have you the general Act here, the Tramways Act of 1870?—In Clause 3 of the General Act, it says, "the term 'road' shall mean any carriage-way being a public highway, and the carriage-way of any bridge forming part of, or leading to the same."

865. Is that as distinguished from street?—I do not see any definition of street.

866. It is "road" all the way through?—Yes.

867. The distinction has not arisen there, has it?—No, it always has hitherto been treated as the same thing.

868. To what authority would you refer the decision of the point as to street and road; would you refer it to the Board of Trade?—To the Board of Trade.

869. You would be content to let them decide, after local inspection, whether it came within the definition of street or road?—Yes.

870. And if it partook of the nature of both, to apply regulations respectively to one or the other?—Yes. Of course the Committee see as well as I do how it would arise. I believe there was a Bill, and there may be a Bill in Parliament this Session, for laying a tramway from the end of the present lines at Brixton out to Croydon; generally speaking, they are roads, but along the

Chairman—continued.

roads there are places which are as thickly built upon as many parts in a town.

871. That is to be a horse tramway, is it not?—I daresay it is.

Mr. *Holms.*

872. Do I understand you to say that you would leave to the Board of Trade to decide in the event of the company and the local authority not coming to an arrangement?—I said that it would be of course very difficult to define what is a road and what is a street.

Chairman.

873. Would you prefer that the matter should be exclusively left to the local authority, with appeal, or would you go to the Board of Trade in the first instance?—In the event of the company and the local authorities not agreeing, it would be sufficient then to go to the Board of Trade.

874. Then you think that the first clause would operate harshly on the creation of companies, do you?—I think that any hard and fast line would be apt to act harshly, unless there was some appeal; because it will be within your knowledge that in many streets along which tramways are laid, although we get the full width for the greater part of the distance, occasionally we come to a very narrow part, though for only a short distance, which would have the effect of stopping the whole.

875. Your view would be that you would like to erase that clause altogether, and substitute something which you have just sketched out, in this direction; that the question of the width of road or street on which steam tramways should be laid, should rest with the local authorities and the promoters; and that in case of dispute, or perhaps in any case, an appeal should be made by either party to the Board of Trade?—I think it would be satisfactory to all parties.

876. When you say that this alteration might be made in this clause, are you of opinion that whether tramways in future are to be worked by horse, or by steam, or by mechanical power, the same rule should apply; we have got to contemplate the possibility of mechanical power being used upon the existing tramways or the new tramways; will you direct your remarks to that possibility?—I think, speaking generally, the same conditions might apply in both cases.

877. With regard to the power of the road authorities to make what terms they please with the tramway companies before they consent to the use of steam, what have you to say?—What I think is this, that inasmuch as the companies would have to obtain the consent of the local authorities first of all, the two parties would hardly be negotiating on equal terms; because the local authority having power to say "yes," or "no," would always have it in their power to put their own terms and conditions upon the company; if they do not at once consent to their terms they would say, "Very well, we shall not consent to the use of steam."

878. Then they would practically have a veto upon the creation of steam trams, would they not?—Yes.

Mr. *Pemberton.*

879. I do not understand that to be your idea

Mr. Hopkins.

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Mr. *Pemberton*—continued.

of what ought to be?—No; I say that the two parties would be negotiating upon rather unequal terms. We have already experience of the same sort of thing when we approach local and road authorities to obtain their consent for laying down tramways; we find that, as a rule, they will not part with their consent until they have made their terms; and, speaking generally, they never give their consent, but they sell it; that has been the result of the Standing Order; in fact, they will have their own terms before they part with their consent.

Chairman.

880. How would you reconcile those two questions, the question of allowing the promoters and the local authorities free latitude for arrangement, and preventing the local authorities practically vetoing the construction of any tramway? —Of course, tramway companies would greatly prefer in every case coming to Parliament, and letting Parliament consider the question. Failing Parliament we, as a rule, are generally content with the decision of the Board of Trade; but we find it very hard to get any fair terms from the road authorities.

881. I am supposing that a Provisional Order is before Parliament, and that the regulation is that such questions as the repair of the road should be left to be settled between the promoters of the new company and the road authorities; the road authorities might at the last moment, annoyed at the course things had taken, impose such impracticable conditions upon the company as to the repair of the roads, that, as I said before, it would practically be a veto upon the creation of a company; how would you guard against that abuse?—As a fact, it works so already, even in the laying down of tramways.

882. How would you remedy the abuse of the local or road authorities demanding exorbitant terms; should it be a question entirely within the discretion of the local authority?—If it is to remain always in the discretion of the road authority, the effect would be to prevent the extension of tramways. To my knowledge, this very Session, a great many Tramway Bills have been withdrawn, simply on the ground of the excessive terms put upon them by the road authorities. Tramway companies would rather not construct a tramway than take an Act with such onerous conditions imposed upon them.

883. In those conditions the local authorities might be presumed, might they not, to represent the local feeling?—Perhaps they do to some extent. I do not think that they do always. My experience of local authorities is this, I will not say unfairly, but like the rest of the world, they try to get the most they can.

884. The whole difficulty would be got over, would it not, by one of the parties appealing to the Board of Trade?—Yes; I wish there were at this moment an appeal to the Board of Trade, with reference to the consent as to laying down tramways. Where unreasonable terms are asked, I think that an appeal to the Board of Trade would have been an immense benefit, up to the present time, for the tramway companies.

885. Is there anything in these regulations as to the repair of the roads?—Yes.

886. Will you direct your attention to that point; would you think it unnecessary to lay down any general regulations; or would you

Chairman—continued.

think it necessary to lay them down as a sort of indication of the policy to be pursued?—I think that tramway companies should not be called upon to contribute to the general expenses of the repair of roads, outside the rails, along which they run. We already, as you are aware, maintain a large proportion of the roads; and in many cases, by special agreement, the companies maintain something extra to that, even in narrow streets. I know cases where the companies maintain the whole of the roads, and with those obligations, and that of paying the rates on our profits, I think that the road authorities ought to be satisfied.

887. This clause, as I read it, allows arrangements and contracts to be entered into between the two parties, "with an appeal, as such road authority may think reasonable, and the Board of Trade may approve, and until the promoters, or such person, if so required as aforesaid, enter into such contract, agreement, or arrangement, they or he shall not use steam or any mechanical power on the tramways or any part thereof"?—Yes; but I am afraid it should be a little stronger than this; if we once agreed with the authorities I am afraid the Board of Trade would approve as a matter of course; I think that that clause would require alteration.

888. Then you would leave an absolute latitude, with an appeal by either party?—I would.

889. And not put this clause in at all?—I do not know that it would do any harm; but I think that it would want some modification; I had a case three years ago, where some vestries in London asked for wood paving through a very long length of street, and we thought that it was very unreasonable; we had the power under our Act of Parliament to go to the Board of Trade, and we did; and the Board of Trade, after taking evidence on both sides, refused the application of the authorities.

890. You gave some evidence last year as to the saving that would be effected by the use of steam; I do not want to go over that evidence, but if there is anything that you wish to correct or modify in that evidence, we should be glad to hear it; I think you stated that there would be a saving of 2*d.* per mile?—Yes, which I arrived at in this way: I knew that in the case of the North Metropolitan Tramway Company it cost them 7¾*d.* per train mile; and I also knew at that time that the Vale of Clyde Company had entered into a contract for working their tramways with steam power at 5¾*d.*, that is how I arrived at the saving of 2*d.*; but I have reason to know that since that contract has been entered into the contractor has been losing by it; he cannot do the work for 5¾*d.*, and his reason, given to myself, is this, that he was very anxious to obtain the first contract in the kingdom as an advertisement and as an introduction to other companies, and therefore he took it at a very low price; in fact, a price below that at which he can work it; therefore the 2*d.*, which was all that I could speak upon at that time of my own knowledge, is found to be too much.

891. On the general question, would you be disposed to summarise the advantages which you think will accrue from the use of steam power on tramways; can you state them in so many heads? —One of the greatest advantages would be in the case of tramways being laid along roads with very bad gradients, where it is very difficult and

sometimes

Chairman—continued.

sometimes impossible to work with animal power, at all events, to work at a profit. There are many cases of that sort existing now, and tramways might be laid in many more cases, if steam power were in use, and be workable, where they are not workable with animal power.

892. Then one of the advantages, you say, would be that they would be able to run on roads with bad gradients?—It is so.

893. Would there be any other advantage; in the case of irregular traffic, what do you say?—In the case of irregular traffic they would be of very great advantage, because no tramway company can keep up a staff of men, and a stud of horses, to provide for irregular traffic, which comes in rushes, whereas with power to use steam they could accommodate that traffic; that would be a great advantage.

894. In summer and winter, would it be equally of advantage?—In winter it would be a very great advantage, particularly in case of snow and frost; so far as I remember, that point was not alluded to at all in the evidence of last year; but during frosty weather, when it is almost impossible to keep the grooves of the rail clear from frozen mud, the work for the horses is very severe indeed. I have known myself in London one tramway car worked with great difficulty on good gradients with four horses, and the strain upon the horses at that time was particularly severe.

895. That is where the mud and snow have got in the grooves?—Yes, where the mud and snow in a frost have filled up the grooves, and also after the snow first falls, it is very difficult, if there is only three or four inches of snow, because though the tramway company tries to keep the roads clean the snow falls again.

896. Would the rails be grooved in the case of steam-engines being used?—I apprehend that there must be grooves when tramways are laid along public roads; not for the purpose of the tramway companies, but for the purpose of the general public; you could not keep a road in repair up to the edge of the rail.

897. In the case of a grooved line, would there be no danger of the engine leaving the rails under the most unfavourable circumstances of frost, snow, or anything else?—I daresay the engine would leave the rails occasionally, but the brake power is such that it can be stopped equally well.

Admiral *Egerton.*

898. What will be the effect of steam as compared with horses on these lines under these conditions of frost and mud; would the engine help to clear the rails?—It would in time; by running over, it would compress at all events the mud in the grooves; with horses, the difficulty is not from the carriages leaving the rails, but from the excessive draught that there is. We do not find the carriages get off the rails.

899. It is the increase of draught which is the point?—Yes, it is the great strain upon the horses.

Chairman.

900. In short, one of the great advantages which you would contemplate arising from steam would be, that it would prevent cruelty to

Chairman—continued.

horses?—Yes; it would be a very great advantage indeed in the case of a severe winter.

Mr. *Hopkins.*

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901. Do you know what is the estimated duration of the life of a tram horse?—I have heard the evidence given by the manager of the London General Omnibus Company, in which he stated that the average life of an omnibus horse was from four years to four and a half years.

902. It would be the same in the case of a tramway horse, would it not?—Yes. Mr. Church put the life of an omnibus horse at four and a half years, and the life of a tramway horse at four years; but I do not think that there is much difference.

903. You do not mean that they necessarily die at the end of that period, but that they sell at a depreciation?—The practice is to buy them from five to seven years old, and when they have worked them for about four years they sell them; but they will sometimes sell them for 5 *l.* or 10 *l.*, when they have purchased them at about 40 *l.*

904. Since you gave your evidence last year, I believe you have had great experience, have you not, in the city of Hesse Cassel?—Yes; since I gave evidence last year, I have had five of Merryweather's engines working upon the line of tramway, at Hesse Cassel, to run partly through the town and from the town up to the park at Wilhelmshöhe.

905. In Hesse Cassel I believe steam trains are not general?—They have never had horse-power on that tramway; it was opened in July with steam, and they have been running since then to the present time.

906. Since July last year?—Yes.

907. Under what general regulations are they worked?—Under the regulations of the municipal authorities, and the police more particularly.

908. But are the regulations laid down in any general law?—There are not many regulations; in fact, the whole thing is rather tentative. The municipal government and the police are watching the working carefully; they show every desire to have the experiment fairly tried; they put no unfair obstacle in the way, but on the contrary they are rather desirous of seeing how it works.

909. Can you hand in any regulations that have been laid down?—I cannot hand them in, but I will try if I can get them for the Committee.

910. Could you compare them in any general way with the regulations which we have before us here, as regards restrictions?—Yes.

Mr. *Pemberton.*

911. Are they as strict as these?—They are not so strict as these; the principal points which the authorities there are careful about is as regards speed, and the non-emission of smoke and steam, and noise.

Chairman.

912. Is there any regulation as to road or street?—No.

913. Nor as to width?—Nor as to width; it is not a very wide street along which the tramway runs; it is about 30 feet wide; it is a very hilly road, and a very bad road.

914. Is there only one tramway in Hesse Cassel?—That is all.

915. Is

Mr. *Hopkins.*

11 April 1878.

Mr. *Holms.*

915. Is it a single line?—It is a single line with passing places.

Chairman.

916. And it runs through the heart of the town, does it not?—To some extent; it starts in the centre of the town from the Kœnig's Platz, and runs out to the park.

Mr. *Holms.*

917. What is the population of the town?—About 50,000.

Chairman.

918. For what distance does it run through the heart of the town?—For a quarter of the distance.

919. And in the midst of the population, for how far?—Nearly a mile.

920. What is its whole length?—The whole length is 3½ miles, and there is a long gradient of 1 in 18.

Mr. *Holms.*

921. Is that the steepest gradient?—That is the steepest gradient.

Chairman.

922. That is a very bad gradient, is it not?—Yes.

923. And I believe that gradient is on a curve?—A portion of it is on a curve.

924. Does that render the working of it worse?—It makes it worse; the engines are powerful engines; they are 18-horse power, and the Government allow us to couple two carriages together.

Mr. *Maurice Brooks.*

925. Is that 18-horse power nominal?—Eighteen actual.

Mr. *Pemberton.*

926. You have two carriages besides the engine, have you not?—Yes.

Chairman.

927. Do they limit you to that?—They do.

928. What is the capacity of each carriage?—One of them carries about 38 passengers, and the other 32.

Mr. *Pemberton.*

929. Is that inside and outside?—The second carriage is an open carriage; the first carriage which carries the 38 passengers is a kind of first class carriage; and the second one which carries 32 passengers, is an open one.

930. Are the fares different for the two carriages?—No, just the same; the great bulk of the passengers prefer the outside carriage.

Chairman.

931. There is only one engine, is there?—Only one engine.

932. In no case do they run two engines?—No.

Sir *Graham Montgomery.*

933. Do you know how many tons the engines weigh?—No, I do not know. I should think between five and six tons; they do not look any larger than the Paris engines, but they are stronger. Merryweather's people have improved upon them since they made the Paris engines; they are heavier and better made also; and they carry a condensing tank on the top to condense the steam.

Chairman.

934. In the case of this tramway which runs from Kœnig's Platz to Wilhelmshöhe, is there any competition with the railway?—There is a railway station at Wilhelmshöhe.

Mr. *O'Conor.*

935. Does the tramway run along the centre of the road or at the side?—Along the centre of the alley.

Chairman.

936. The line was opened in July, was it?—Yes.

937. Can you give the Committee any account of the working expenses?—Yes. Up to the end of the year the working expenses were about 60 per cent.

Mr. *Holms.*

938. What do you mean by the working expenses?—The whole working expenses.

939. Do you mean the office expenses, and the whole motive power, and everything?—Yes, as against the lowest which we can work in London with horses, which is about 75 per cent.; the working expenses of the Omnibus Company are as high as 90 per cent.

Chairman.

940. Then I gather that the tramway at Hesse Cassel is a case which illustrates one of the advantages of steam tramways over horse tramways, namely, that it can be worked where the gradients are very steep, and also where the traffic is very irregular?—Yes, quite so; it meets both those cases. I think that it would be quite impossible to work that tramway with animal power remuneratively; and the traffic is such on Sundays and holidays that they cannot carry the number of passengers who wish to go out.

941. Have you any return of the number of passengers carried on a Sunday?—I have not. We have hardly got into working shape yet; but on Sunday afternoons enormous numbers of persons are disappointed. The company run extra carriages on Sunday afternoons, and still they cannot carry all the people that wish to go; during the week the traffic on the last two miles is very sparse indeed.

942. Is there any connection, as far as rating or taxation is concerned, established between railways and tramways like this; is this tramway which, so to speak, competes to a certain extent with the railway, put upon the same footing as regards rates and taxes?—I do not think that they pay any taxes at all.

943. Perhaps you cannot say what they do in the case of ordinary railways?—No, I cannot.

944. Are there any Parliamentary fares imposed?—No; there is a fare fixed by the concession. I have a copy of the concession.

945. The point is, whether it was fixed by the concession?—It is fixed in the concession, and is rather a low fare.

946. And is it uniform, or is there any classification?—There is no classification.

Mr. *Holms.*

947. I suppose that you might have classification so long as you do not extend the fare?—Yes; it is only the maximum fare in the concession.

948. I take

Chairman.

948. I take it that you have a strong objection to tramways in this country, if steam is allowed upon them, being subjected to the passenger tax?—I think that it would be unfair. I look upon tramway traffic generally as somewhat equivalent to the Parliamentary traffic on railways; seeing that the maximum fare is but 1*d.* per mile, and that in very many cases the company really run their carriages at one halfpenny a mile, that traffic is very like the Parliamentary train traffic of our railways, which is exempt from passenger duty.

949. Can you speak from your experience as to any effect that these tramways have had in Hesse Cassel on the omnibus traffic; is there a competing omnibus traffic?—There is no omnibus traffic; it is only a cab traffic.

Mr. *Holms.*

950. Have any difficulties arisen in connection with the use of steam power?—No, I do not think that we have had more accidents than the usual accidents which we have with horses; we have had slight accidents at Hesse Cassel, but the same accidents would arise in working with animal power. There is a very great traffic along that road, persons on horseback, officers and others, riding very spirited horses.

951. How did the horses stand it?—The horses stood it very well indeed; I know of no case of injury.

Chairman.

952. We began by going through these regulations, and I would like to ask you some questions with regard to Mr. Holt's evidence, if you heard it?—I only heard a portion of it.

953. Do you agree with what he said as to the necessity of imposing some regulation about indicators, and recorders, and certificated drivers, and certificates for boilers?—I did not hear that portion of his evidence. I think that, as regards the indicator, it is as well to have it, but I never could see what utility there was in having a recorder. You know at what speed you are going, and it is not necessary to record what speed you have been going at all the time.

Mr. *Pemberton.*

954. Would it be a very expensive matter?—It has not been found out how to do it yet.

Chairman.

955. Does your observation refer to both, the recorder and the indicator?—The indicator has been invented, but a recorder has not been perfected.

Mr. *Holms.*

956. Is it, in your opinion, necessary to have self-acting break power, that is, brake power to come into operation when a certain speed has been obtained?—No, I think not.

957. You would leave it to the driver?—Yes, he can shut off the steam; both the engines and carriages in Hesse Cassel are fitted with a brake, and there is a brakesman on each separately.

Chairman.

958. As I understand, you attach great importance to there being brake power, and a person to work it on each car?—Yes, I should make it imperative.

959. What do you say as to the continuous brake; do you think that that would be necessary?—I do not think that it would; we have never had any trouble with animal power, or steam power at present, as to the brakes.

960 You think that it would be sufficient to say that it should be efficient?—Yes, I think that it would be found to work satisfactorily.

961. Would you have any self-acting mechanical appliance which should be under the control of the driver?—I would rather leave it to the driver; I heard Mr. Holt say that a self-acting brake of that sort would take the responsibility from the driver.

962. With regard to the minor point of a bell or whistle, what do you say?—I think that the Bill is found to be sufficient.

Mr. *Pemberton.*

963. Have they bells or whistles in Hesse Cassel?—I do not think that they have either.

Chairman.

964. Is there any regulation as to day or night travelling there?—They begin earlier in Hesse Cassel than they do in London; they begin soon after six o'clock, and they run until 11 o'clock at night.

965. Is there any regulation as to the exit or entrance from the carriages, or as to the accommodation in the carriages?—The closed carriage is just one of our ordinary cars, such as we run in England, except that there are no outside passengers; the entrance and exit is from the rear of the carriage.

966. Will you look at Part II. of this paper; there are a series of bye-laws there; there are five bye-laws proposed by the central authority; that is, the Board of Trade; do you see any necessity for laying down any general bye-laws of that kind?—Certainly I do; I should certainly restrict the speed.

967. You would not allow it to be a matter of local police regulation?—No, I should make it a matter of Parliamentary regulation.

968. Or the report of an inspector of the Board of Trade?—Yes; I should restrict the speed in towns, certainly, to eight miles an hour as the maximum, and it might be a little more in the country; but I do not think that it ought to be very much more in the country.

969. Have you anything to say upon these bye-laws with regard to Part IV.? It seems obvious that in the event of a horse being frightened the driver should stop his engine; do you consider that that is necessary to be put into the bye-laws?—I think not; he would do it of his own notion always.

Mr. *Maurice Brooks.*

970. Recollecting the difficulties with regard to snow, the cruelty to horses, the inequalities of traffic, bad days, Sundays, and wet weather, and recollecting also the great loss of capital that will ensue if those tramways are constructed to be worked by horses, and the horse system is abolished upon those lines, and steam power is substituted with a different kind of carriage; taking all those matters into consideration, would you go so far as to recommend that steam power should be used on all tramways hereafter to be constructed?—I think that, as regards horses, the demand is such that there would be no difficulty about it; the horses would be very useful elsewhere; we are very short of horses now. I was thinking

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at the time that you alluded more to steam tramways running by the side of a railway; I do not think that there is any objection to that, and I gave my reason for it. We have found that since the introduction of tramways into London the London General Omnibus Company run just as many omnibuses, and they have just as much traffic; and so also when the Metropolitan Railway was made, it did not interfere with the omnibus traffic. The fact is that the wants of the population are so great that, give them the means the people will use them, and there is enough for all. The tramways of London have created their own traffic entirely; they have not interfered with omnibuses.

Chairman.

971. That applies to all sorts of tramways, I suppose?—Yes, that applies to all sorts of tramways; and even in the case of allowing a tramway to run side by side with a railway using steam, there might be a little disturbance of the railway traffic first; but I do not think that it would amount to anything serious.

Mr. *Maurice Brooks.*

972. Would you go so far as to recommend that all the tramways hitherto constructed should be worked by steam?—No, I would not; there are certain tramways in Edinburgh to which the application of steam would be of immense benefit; the line from Portobello up to Prince's-street, and the line up Leith-hill; if steam could be applied in those cases it would be an immense boon in every sense.

Mr. *Knight.*

973. To whom would be the benefit; the company or the public?—To the horses more than anyone else; it is very severe upon the horses working up such gradients as those; but I think that the introduction of steam into London is a matter that will have to be watched very carefully, and I am not in a hurry to see it. I do think that in places in the country, and perhaps in some suburbs, and especially where there are bad roads, steam might be applied with very great advantage.

974. Could not steam be applied in drawing minerals along tramways with success in countries where the traffic is not sufficient to make a railway?—I think that it could to a considerable extent; of course the difficulty would be the delivery; the Tramway Company can carry traffic very easily along a tramway, but I do not see how they are to meet the difficulty of delivery along the road, unless they have depôts to run into. The question has arisen in street tramways, as to whether they could not be utilised for goods; we find that they cannot for that reason; we can carry the goods, but cannot deliver them.

975. But supposing that a colliery was opened at some distance from a railway, or some distance from a canal, could not you, by means of a tramway along the public road, take the coal to the canal, or to the railway, or to a small town or village, in an inexpensive manner?—Very much so indeed; it would be merely conveying from one terminus to another; it could be done with the greatest facility. The point I was considering was delivering along the road.

Mr. *Maurice Brooks.*

976. What is the distance between the two termini of the Hesse Cassel Tramway?—Three and-a-half miles.

977. Do you know what the fares are?—I think the fare is 3 *d.*

Chairman.

978. I understood you to say that it was 1 *d.* a mile?—About that.

Mr. *Maurice Brooks.*

979. It is 3 *d.* for the whole distance, is it not?—Yes.

980. Would there be lesser fares for lesser distances?—The whole line is cut up into lesser fares; there are short-distance fares of 1 *d.*, and the school children of Hessel Cassel, of which there are a great number going backwards and forwards, are all carried half price, even on those low fares.

981. Do you recollect the names of the tramways which you mentioned just now, where the promoters have been compelled to pave the whole of the streets?—That does not refer to any one company, but it refers to particular streets in which some one company has tramways. In the North Metropolitan Acts, all streets under 28 feet in width, where a double line of tramway is laid down, had to be paved from kerb to kerb.

982. Are there any other instances in which that is the case, besides the North Metropolitan Tramway?—There are instances, but I can hardly remember them; they have been a matter of special negociations between the different local and road authorities, and the Tramway Company.

983. In narrow streets, is it not a necessity that if part of the road be paved in granite sets, the whole should be paved, in order to avoid the inequality which will arise between the macadam and the paving?—It is very desirable indeed.

984. And it is desirable, is it not, that the company should undertake the charge?—Yes, and in many instances they have done so; in fact, the tramway companies have been very yielding; but as fast as they yield the road authorities want a little more.

Mr. *Pemberton.*

985. One of the honourable Members asked you whether you would apply steam to all tramways, and you said, no, not to all. I suppose that in the case of any company with which you were connected, you would propose to take power to work either by steam or by horse power?—I think so.

986. That would probably be the better plan, because you might exercise your option?—Yes.

987. I do not think there is any scheme which makes it absolutely necessary to use steam power; but they have power to use steam if they think it necessary?—Yes; no doubt it would be the practice of companies to take power to work both.

Chairman.

988. With regard to the second bye-law, I can conceive its being a matter of great doubt; it says, "The persons managing the tramway shall, once in every week, send to the office of the police, local, or road authority in whose district the tramway is situate, or to the office of such one of them, if more than one, as the Board of

Chairman—continued.

of Trade may direct, a copy of the record of the speed of every engine used on the tramways shown by the indicator for the last preceding week;" do you think that a necessary bye-law to impose?—If the engines are fitted with indicators, which they might be, there is no reason why the Board of Trade should not have a copy of the record of the speed taken from the indicator.

Sir *Graham Montgomery.*

989. You distinguish between the indicator and the recording of an indicator, do you not?—Yes.

Chairman.

990. Will you clear up the distinction which you draw between an indicator and a recorder?—The difference is this, that the indicator shows the speed at which the engine is going; but the recorder records, as it were, the day's work from minute to minute and from hour to hour.

991. The recorder is an indicator as far as past history goes, is it not?—It is.

Mr. *Pemberton.*

992. But it does not show it on the face of it; the indicator is open at all times, is it not?—Yes, the indicator you can always see.

993. The recorder you do not see?—The recorder has not been invented yet.

Chairman.

994. With regard to what is called the recorder; if I wished to know at what speed the engine was travelling at a particular hour on a particular day in a particular week, could I, by opening the recorder, see the speed of the engine at that moment?—If you had a perfect recorder you could.

Mr. *Holms.*

995. Is it the case that up to the present time no reliable recorder has been invented?—I believe that that is so. General Hutchinson would know that point better than I do.

Mr. *Denis O'Conor.*

996. There was a recorder once on the Vale of Clyde Railway, was there not, about which we were told by General Hutchinson?—General Hutchinson has been very anxious to get a recorder, but I do not think that he has got one to satisfy himself.

Mr. *Holms.*

997. Am I right in supposing that there has been no practical difficulty whatever as regards the indicator?—The indicator is accomplished, and the recorder is not.

Chairman.

998. This indicator appears to combine the duties of an indicator, ordinarily so called, and a recorder; because this bye-law says that the speed shall be shown at a given time, and that that speed shall be recorded?—It does look like it; it looks as though the one instrument went to both.

Sir *Graham Montgomery.*

999. You object to this as one of the regulations imposed by the Board of Trade, do you not?—I do not object to it; my impression is that the thing has never been found out yet.

Mr. *Holms.*

1000. Supposing it were discovered, and you had a perfect recorder, would this bye-law answer any practical purpose whatever, or be of any use?—I do not know what use it can be, except for cases of prosecution; you must be very much dependent upon the care of the man, and leave it to him. Would you allow me to mention a point upon the question of the width of streets. There is a notable example in the Vale of Clyde Tramway; we have a double line working there with steam, and the whole of that road throughout its length is only 30 feet in width.

1001. Is that 30 feet from kerb to kerb?—From kerb to kerb.

Mr. *Pemberton.*

1002. That is a very populous place, is it not?—It is.

Chairman.

1003. Are there continuous rows of houses?—To some extent; it is a suburb of Glasgow, very much built upon, and enormous vehicles are coming from the different works, carrying armour-plates, and castings, and boiler-plates, and ships' rudders, and all sorts of things.

1004. But there is no rapid street traffic, is there?—Yes, there is.

Mr. *Holms.*

1005. In Govan, I presume, it is an extremely busy street where the tramways run?—Yes it is.

Mr. *Hopkins.*

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Dr. ALEXANDER WOOD, called in; and Examined.

Dr. *Wood.*

Chairman.

1006. You are Chairman of the Edinburgh Tramways Company, are you not?—I am.

1007. And you naturally take an interest in the subject, and are naturally favourable to the introduction of steam on tramways?—Yes, I am.

1008. Do you think that it would lead very much to the extension of tramways if steam were allowed?—Yes.

1009. You think that would conduce to the expansion of the population?—My original connection with tramways was peculiar. There was a meeting held in Edinburgh of the inhabitants to try and ameliorate the condition of the lower classes, and I was requested by the then Lord Provost to be chairman of a committee appointed to inquire into the state of the lower classes in

Chairman—continued.

Edinburgh. We discovered a most enormous amount of overcrowding; while the whole town has a small population in the area, there are certain districts of it that are more overcrowded than any other town in Great Britain. The question then arose as to pulling down the houses on spreading the town out; and the late Member for Edinburgh, Mr. Charles Cowan, a brother of the present Member, and myself took great interest in it, and we came to the conclusion that to spread the town out would be more beneficial. We visited the tramways in Liverpool, and London, and Birkenhead, which were then the only ones existing, and then threw ourselves into the movement, for the purpose of ameliorating that state of the town. It is curious that few people are aware

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aware of the density of the population in certain parts of Edinburgh, that if you take the whole of Edinburgh within the municipal boundaries, it only gives 40 to each acre of ground; whereas in Liverpool it is 93, in Glasgow it is 83, in Dublin it is 66, and in Birmingham it is 41; but when you come to separate it and analyse it, you find that, while in the new town of Edinburgh there are only 21·2 to each acre, in the district where the Grass Market is there are 237·6 to the acre, in the Canongate 206·7, and in the parish called the Tron Church parish, which embraces part of High-street and narrow streets adjacent, it rises to 314·5 to the acre. I believe that that is accounted for by so many of the inhabitants living in what are called common stairs. Instead of having horizontal streets, these stairs are just perpendicular streets running between heaven and earth; I suppose originating in a desire to get within the walls of Edinburgh, when it was a fortified town, in troublesome times. It was to combat that peculiarity that we threw ourselves so strongly into the tramways movement.

1010. Your argument would be that ordinary horse tramways and omnibus traffic would not be feasible in such a town as Edinburgh, but that you would require steam for the purpose of getting up and down the gradients?—I am now speaking of the town and the horse tramways as they exist. In regard to steam, the advantage of steam is this, that you could run cars at certain hours of the day, when they are in great demand, and lay them aside when they were not wanted. If you have horses, you must take the full work out of them for their meat; you may not have an opportunity of running them frequently enough to get the full work out of them. Then they must be fed whether they work or not. A steam-car does not require feeding, except when working, and is ready for an emergency when required.

1011. Would you lay great stress upon the prevention of cruelty to animals?—I would lay great stress upon that.

1012. What is the system of omnibus communication in Edinburgh with the suburbs for the benefit of the working population?—Within the last week all the omnibuses, with two exceptions, have been taken off, and there are now no omnibuses running between Edinburgh and any adjacent villages, and the people are entirely supplied where they can be by the tram-cars.

1013. Have you seen in actual operation any engine on the trams in Edinburgh?—I have seen all the engines, with two exceptions, that have been introduced on tramways at different places, and I have seen two engines working upon the Edinburgh tramways.

1014. What was the width of the roads upon which those engines were working?—The last engine that I saw, which was working last week, has worked over the whole of the tramway lines in Edinburgh; the other engine was Hughes' engine, which, as described last Session, worked between Portobello and Edinburgh, a distance of three miles. I will hand in a statement as to the width of the narrowest streets through which our tramways pass.

1015. As to the engine or engines that were working in the more densely populated parts of Edinburgh, were those engines fitted with any appliances for the security of the public?—They

Chairman—continued.

have very powerful brakes. The last day but one that that engine worked, it was going along Princes-street when a half-tipsy cabdriver dashed down one of the cross streets, and came in front of it. If it had been drawn by horses, the cab must have been smashed. Those inside the car drawn by the engine involuntarily shrank back, thinking that the cab would be destroyed, and to the astonishment of everybody, the engine was reversed and the brakes applied, and though the two vehicles were actually in contact, there was not any harm done. That could not have been done with horses.

1016. In point of fact, the reversal of the steam and the brake-power prevented the accident occurring?—Yes.

1017. Then, from your experience of the engines, you think they are more readily stopped than horses can be?—We are satisfied from actual experiments that they can stop within a shorter distance than horses.

1018. And generally they are under better control, are they not?—They are more under control; horses have wills of their own, and they get unmanageable occasionally, but an engine can have no will of its own.

1019. Have you any remarks to make about the relative expense of mechanical power and horse power?—I have been always very doubtful whether the employment of steam would effect any real saving. In the first place, the repairs upon the engines hitherto tried have been very great. Then there is one thing which will increase the expense very much; at present if you want a driver, you have a choice amongst a number of men trained to drive; but you must have special men trained to drive the engines, and you will not have a large number to make your choice from, and therefore the wages will be required to be increased. Engine drivers will require higher wages than coachmen would require; the fuel, of course, is cheaper than the horses' food, but the original expense of the engine is greater; and I think it extremely doubtful whether the companies will find that there is any economy in the introduction of steam.

1020. Then I gather that your view is this: considering the very experimental stage of this question, you would be averse to laying down any rules which might run the risk of being prohibitory?—Yes, I think that in the present state of the question, it requires fostering and encouragement; and that any attempt in the way of restriction would only prevent experimenters from perfecting engines, or from producing engines; and that it would therefore rather require encouragement than regulation by too stringent rules.

1021. Do you see anything in the regulations which we have before us, which is calculated to stifle improvement on the part of different mechanical engineers?—I see where it would be perfectly fatal in Edinburgh; one of these regulations is a regulation with regard to the breadth of the streets. There is not a line of tramway in Edinburgh that would perfectly fulfil that condition; I doubt whether there is a tramway in Great Britain that would fulfil it accurately. Now it may be said that a slight deviation from it would not cause any objection on the part of the authorities; but we have had experience in Edinburgh of a peculiar kind, and I will just state

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Chairman—continued.

it. You are, no doubt, aware that the General Tramways Act prescribes that there should be a space of 9 feet 6 inches between each one of rails and the kerbstone of the pavement; two of our omnibus proprietors, who were losing their business when we first started the tramways, discovered, or said they had discovered, that at one little portion, less than a yard in length of tramways, on a very steep gradient, the prescribed width between the line of rails and the pavement did not exist; they took us into the Court of Session, and the judge there said, "If you can prove that these tramways encroach, even if it were the eighth of an inch, I will order them to be lifted." It was remitted to a man of skill, and whether his measurements were more accurate or not, I do not know, but to our great relief he reported that the prescribed distance barely existed, or with a slight alteration could be obtained, and the tramways were not ordered to be lifted. Had it been otherwise, the tramways would have been lifted, and, being in the very centre of our system, would have stopped the whole tramway traffic of Edinburgh. If, therefore, you were to frame such a regulation as that of the Board of Trade, I have no doubt the enemies of the tramway companies would use it to prohibit the use of steam upon any of our lines.

1022. On the other hand, in the interests of the poor population, having no advocates of its own, would you allow a steam tram-car to run through a narrow portion of such streets as we have had mentioned?—We must start from this admission, that tram-cars are at present allowed to run through narrow streets. My contention would be, that they are safer with steam than with horses. You might limit the speed if you thought that it would lessen the danger; but holding, as I do, that steam is quite as safe as horses, I do not see that tramway cars being now allowed to run through narrow streets, should be forbidden, because they are drawn by steam instead of horses.

1023. Then the whole thing turns upon the nature of the regulation, does it not, that would have to be imposed?—Yes.

1024. Would you or would you not, admit that steam traffic required more regulation than horse traffic?—Steam is not so well understood as horses; but I do not know what regulation would be required with regard to speed.

1025. I mean as to the emission of noxious vapours?—Most decidedly, I would not allow any engine to be used that emitted noxious vapours; that is perfectly clear. The other objection that I have to the regulation is the putting it entirely under the control of the local authorities. We have been unfortunate in Edinburgh, though not singular, in having had a great deal of opposition from the local authorities; and at this moment their attitude is a very peculiar one. In our Tramway Bill, as in all others, I believe, it is prescribed that we shall run with animal power only. The first Bill we got contained an agreement with the local authorities, which is scheduled to the Bill, in which it is provided that we shall run with animal power only; and it was contended by the authorities in their petitions against a Bill of ours for steam power last year, and strongly urged, that this would be a violation of a solemn engagement upon our

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part, if, having got our Bill with this clause, we were to try in any way whatever to run by mechanical power. We had a Bill in 1874, in which we proposed to alter one of those agreements: I was examined upon it by Mr. Serjeant Sargood, and pressed for nearly half-an-hour to declare that it would be a violation of the agreement if we altered anything in that Bill, it having been agreed to by the local authorities upon the one side, and the Tramway Company upon the other; so that if we were to attempt to get steam on the tramways, we should be met with this at once; "it is a breach of faith; it is a breach of agreement;" and besides that, we never have gone in for an improvement of our tramways without having had to pay money or make some concession. I can give many instances of that, but will restrict myself to one, which will show how the local authorities deal with us. We have two local authorities in Edinburgh, the Town Council and the Road Trust; the roads are under a different body from the town council. Our original Bill gave power to lay lines down between Edinburgh and a village called Trinity, on the seashore to the west of Leith. We did not know much about tramways then; we got the Bill, but we found that some of our gradients on that road were 1 in 10, and that it would be impossible to work the tramway. We had the advantage of General Hutchinson, of the Board of Trade, being sent down, and we asked him to look at the place and tell us, not officially, as to whether it would be safe to lay tramways down there, and his reply was, "You may lay them down, but the Board of Trade will never sanction them." A movement then took place in the town council to get us to abandon this part of our system, and we agreed at once, and an Abandonment Bill was prepared, and brought into this House in 1874. The town council supported it, and at the eleventh hour the road trust sent up a deputation here, and said to the promoters of the Bill, "Unless you pay us 3,000 *l.* and agree to lift one of your lines in another place, we will oppose your Bill." We had had a great deal of litigation about the line they required us to lift, but had just got a decision of the House of Lords in our favour, and yet we were obliged to pay that 3,000 *l.* for nothing, but to get rid of the opposition, and to lift a portion of our line which, the House of Lords had decided we had a legal right to lay.

1026. How do you propose, by anything that this House can do, to limit the discretion of the local authorities in their arrangements with the promoters?—I do not think that we could ever ask that the local authorities should not have a very powerful voice in the matter; but where local prejudices exist of the kind that I have described, I think it important that there should be some public body, apart from local interests, which is accustomed to deal with questions of this kind (which our local authorities are not), to whom an appeal might be made. I think that it would give both the public and the tramway companies more confidence if there were a court of appeal, such as the Board of Trade.

1027. In regard to that, would you look at the regulations, at the bottom of page 2, of the clauses to be inserted in Tramway Orders; will you tell me whether the clause meets your views or not, the purport of it being that the road authorities

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Chairman—continued.

and the promoters may make such arrangements as they please as to the price to be paid for the user and so on, and may make such arrangements as such road authorities may think reasonable and the Board of Trade may approve?—In regard to that, I believe that such a provision will put into the hands of certain local authorities one of the most powerful levers for extortion that possibly could be provided. I told you how we were treated as to the Abandonment Bill; you will just encourage the local authorities to take what I heard a Member of this House describe as "blackmail" from us upon every possible occasion. Now, believing as I do, that it is important in the public interest that tramways should be extended, I should be sorry to subject the companies to an extortion such as that clause would enable adverse or greedy local authorities to make.

1028. How are you to prevent extortion by the companies, and how are you to override that and control the authority and action of the local authority?—The local authority should, in the first instance, have the power of saying "yea" or "nay," but if they should say "nay" without any adequate reasons, or lay down conditions which are extortionate or unreasonable, there should be somebody apart from local influence to whom we could appeal.

1029. Would you be satisfied with the Board of Trade?—I should be quite satisfied with the Board of Trade.

1030. But that clause, as drawn, does not meet with your view?—No, I think not; I think that it gives the local authority a very broad hint to screw as much out of the companies as they can get.

1031. Of course this only speaks of contracts with road authorities; it does not speak of the local authority of which you have been speaking?—In our case, there is a Bill before Parliament which will amalgamate these two bodies, but at present they are separate.

1032. Then you consider that the imposition of that condition of the width of the streets would be prohibitory?—It would be prohibitory.

Mr. *Holms.*

1033. Would you have any condition as to the width of the streets?—I think not; I think that wherever horses and tram-cars are admitted, steam-cars should be admitted, if they have a proper engine.

Mr. *Pemberton.*

1034. Is there any condition at present with regard to the width of streets, so far as horse tramways are concerned?—There is a general instruction in cases where a Provisional Order is applied for; but an Act of Parliament can be got for any width of street, provided that notice is given to the frontagers, and that the frontagers do not oppose it.

1035. At present, under the regulations of the Board of Trade, is there any particular width of street necessary; does the Act of 1870 provide for that?—There is a regulation that if the frontagers oppose on the ground that the street is too narrow for a double line of tramways, then the Board of Trade may order cross overs, or may prohibit the laying of the tramway altogether.

1036. I am afraid that I have not made my question plain to you; is there, either under the Provisional Order of the Board of Trade, or in the general Act, any hard-and-fast line prescribing the minimum width of any street?—No.

Mr. *Pemberton*—continued.

Mr. *Holms.*

1037. What is the narrowest street in Edinburgh in which you have a tramway laid down?—There is one on Clinton Road 23 feet wide; in that case we purchased up the entire road, and have to maintain it, and there is another in Salisbury Place which is about 21 feet wide, I think.

1038. Is that from kerb to kerb?—From kerb to kerb, I think, it is about that; then we have two passing places, so that we do not interrupt the traffic.

1039. The passing places are made at the wider portion, I suppose?—At either end, so that the cars can take the unoccupied side.

1040. What is the steepest gradient on any of the tramways in Edinburgh?—I have had prepared a table of the gradients, and according to that, the steepest gradient is 1 in 13. (*The Witness handed in Table.*)

Chairman.

1041. Do you disapprove of the proposal to tax mechanical power on tramways in the same way as railways are taxed?—I think that it would be a pity in the infancy of tramways to discourage them in any way; I think that they require encouragement more than discouragement; if they are to be taxed, I think that the tax ought not to go to the road authorities, but should go to diminish the fares.

1042. You do not think, do you, that the imposition of a passenger duty should be grounded upon the fact of the monopoly?—There is no monopoly in Edinburgh; any omnibus proprietor can run omnibuses if he chooses.

1043. There would not necessarily be any monopoly if mechanical power was allowed on tramways, would there?—No, not necessarily; at this moment we keep up 17 feet of the road, and pay police taxes, both as proprietors and tenants, and we pay poor's rates both as proprietors and tenants; our expenses of maintaining the road, and the taxes that we pay amount to nearly 500 *l.* per mile per annum. In 1876-77 we paid for poor's rates the sum of 237 *l.* 7 *s.* 4 *d.*; for police assessments, 281 *l.* 10 *s.* 3 *d.*; for income tax and house duty, 173 *l.* 3 *s.* 9 *d.*; and for miscellaneous assessments, 20 *l.* 1 *s.* 3 *d.*, making a total of 712 *l.* 2 *s.* 7 *d.* In the next year, 1877-78, our total assessment was 957 *l.* 4 *s.* 2 *d.*, consisting of poor's rates, 367 *l.* 11 *s.* 3 *d.*; police assessments, 361 *l.* 7 *s.* 5 *d.*; income tax and house duty, 193 *l.* 10 *s.* 3 *d.*; and miscellaneous assessments, 34 *l.* 15 *s.* 3 *d.* In addition to the above rates there were paid during the two years ending 31st December 1877, in the first year for causeway mail, 5 *l.* 1 *s.* 2 *d.*, and for car licenses, 119 *l.* 14 *s.*, making a total of 124 *l.* 15 *s.* 2 *d.*; and in the following year for causeway mail, 5 *l.* 1 *s.* 2 *d.*; and for car licenses, 115 *l.* 10 *s.*, or a total of 120 *l.* 11 *s.* 2 *d.* Then the tolls paid in 1876 were 806 *l.* 16 *s.* 5 *d.*; and in 1877 816 *l.* 19 *s.* 6 *d.* This upon 13¾ miles of tramway.

1044. What should you say as to the regulations as between the tramway companies and the local authorities, especially as to the road-

way.

Chairman—continued.

way. Do you think that it should be kept in the same condition as you propose to leave the general question between the promoters and the local authorities; that there should be an appeal to the Board of Trade?—Yes, I think that there should be some arbitration where there is a difference of opinion. I could give you, if it was necessary, but I do not like to say anything unpleasant, a great many more instances of the way in which we have been treated by the local authorities of Edinburgh.

1045. Have you anything to say with regard to any of these mechanical appliances with which it is proposed to fit the engines?—Yes, I have paid great attention to them.

1046. Do you think that the conditions laid down in this paper are reasonable or unreasonable?—I think that they are reasonable. The only thing I would say is, that where you multiply mechanical contrivances, you increase the danger of their going wrong, and they are apt to distract the attention of the driver, if he is looking sometimes at the speed recorder, and sometimes at the speed indicator, and sometimes at the automatic brake, he has too many things to look at; his eyes should be directed to the front of him, to prevent him from running over anything in his way; when you distract his attention by so many things, there is a risk attending it. I should not like the driver of my carriage to have to look at a thermometer, a barometer, and a speed indicator, while he is driving the horses.

1047. The steam tramways are running now in Edinburgh, are they not?—They are running occasionally; we have no power to run them, but we do occasionally by way of experiment; there has been a steam car running on our tramways for the last six weeks, generally daily, but it is stopped now, because we have made experiments enough with it.

1048. It was experimental, with the indulgence of the local authorities?—Without the interference of the local authorities, would be more correct.

1049. During the time that they did run, did the local authorities impose any conditions upon you?—No, they did not know of it ostensibly.

Mr. *Holms.*

1050. You said that one engine was Hughes' engine; what was the other one?—Another one is Robertson and Henderson's; Hughes' is a traction engine; Robertson and Henderson's has the machinery inside. It was perfectly astonishing to see it going through the principal streets of Edinburgh at their most crowded time of the day; with the exception of one or two tramway horses scarcely any horses shied, or showed the least fear of it.

1051. Did you find any advantage in using the composite engine?—I think that the composite engine is better adapted for some lines and roads, where there are very steep gradients; the weight of the composite engine makes the grip on the rails better.

Mr. *Maurice Brooks.*

1052. Do you work at all on Sundays?—No.

1053. Has the effect in Edinburgh of the tramways been to extinguish all rivalry on the part of omnibus proprietors?—Yes; the omnibuses have been given up since the tramways begun.

Mr. *Maurice Brooks*—continued.

1054. Have they been totally given up?—Totally in the town.

1055. Is not that monopoly complained of?—Not at all; the omnibuses were given up because the people would not use them; after the tramway company was formed in Edinburgh, a new company was formed for omnibuses to oppose us; they built new omnibuses of a light kind, with wheels adapted to run upon our rails, and they did everything to oppose us; but after a very short time they came to grief, and since then there has been no opposition, the reason being that the public will not go by omnibus when they can get a car; they like the smooth motion, and the luxury of not having their shins kicked every time that anybody goes in or out, as they suffer in an omnibus. They also like the light of the car, which enables them to read.

Mr. *Knight.*

1056. Do the tramcars go faster than the omnibuses?—No, I think they go about the same pace. The chief carrying is between Edinburgh and Leith; our fare between Edinburgh and Leith is 2 *d.*, and one of the omnibus proprietors said, "We could oppose you, I think, if you would raise your fare to 3 *d.*, but we cannot do it for 2 *d.*;" so that the public have the advantage of cheap fares; we can run cheaper than any omnibus.

Mr. *Maurice Brooks.*

1057. Virtually you have a monopoly?—Actually we have, because we have so studied the tastes of the public that it is not the interest of anybody to attempt opposition; if we ceased to please the public we should have opposition.

1058. And in the event of an omnibus competition, do you think that by a temporary reduction of fares you could extinguish that competition?—In my experience, long before tramways were introduced, there were omnibus competitions, and the way they did it was to carry people sometimes for half the fare, and sometimes for nothing, to cut each other's throats; if that sort of game were to be played we should have to do the same, but we have had no occasion to do it.

1059. Does the right of user, given you by the road authority, give you advantages over omnibus proprietors such as would enable you to extinguish all rivalry?—I do not see that we have any advantages which the omnibuses have not, except the advantage of the grooved rail, which costs us 9,000*l.* a mile to lay; the streets are as open to omnibuses as to tramway cars.

1060. But you have a monopoly of the right of user of the grooves, have you not?—We have a monopoly as far as flanged wheels are concerned, but only that; and at this moment almost the entire traffic passes over the tramways; if you look at our streets, you will find that the heavy carts and lorries all leave the sides of the roads, and come upon the tramway lines, though they are whistled off when a car passes to make room. Now the saving to the town is twofold; in the first place, we keep up 17 feet of the road; and in the second place, they have not to keep up nearly the same amount of wear and tear, because the whole traffic seeks our lines.

Dr. *Wood.*

11 April 1878.

1061. I suppose

Dr. *Wood.*

11 April 1878.

Sir *Graham Montgomery.*

1061, I suppose you are of opinion that Edinburgh is just the place of all others, where the use of steam for tramways would be most beneficial?—Edinburgh is the place, of all others, where horses suffer from the work; and it would be an immense relief to one's feelings, to see iron substituted for muscles and nerves.

1062. I believe the Society for the Prevention of Cruelty to Animals have sometimes brought up your officials, have they not?—Yes; we are very careful, so that we are not often brought up, but still we have very many complaints; it is a very sad thing to see the effect of the strain, and the constant stopping, upon our horses; independently of all the ordinary foot diseases, which I need not describe to you, which they get from pounding upon the hard granite, it has a peculiar effect upon them; the muscles of the back and loins seem to get strained; they get roach-backed, and then they tumble down; if they tumble going down a hill, the heavy car behind tears their quarters in the most shocking way; we observe that our horses very soon get a stiffness of the hind-quarters, and that makes them very apt to fall; they fall when other horses would not; that I attribute to their having to stop so frequently, with a heavily loaded car, to let down passengers and take them up.

1063. Did you lay down all the rails for which you obtained a concession, originally, in your Act of Parliament?—No, our original Act was passed in 1871; and in 1874 we came to Parliament for an Abandonment Bill, to give up the line to Stockbridge, and the line to Trinity.

1064. Was that in consequence of the extreme steepness of the gradients?—Yes.

Mr. *Holms.*

1065. What was the steepest gradient?—One in ten.

Sir *Graham Montgomery.*

1066. If you obtained the power of using steam on the tramways, do you think that you could lay a line to Stockbridge?—I should think that before long an engine would be invented to go up our steepest gradients, with the heaviest loads. The engine which was running last week in Edinburgh has gone up our steepest gradients, without a load, and up some steep ones with a load; therefore we are very near obtaining the thing that would do the work perfectly.

1067. Is it your opinion that at the present time houses have been built largely for the working classes in the outskirts of Edinburgh, in consequence of the introduction of your tramways?—The value of the ground in the suburbs of Edinburgh, to which the tramways run, is four times as great now as it was when the tramways were laid. I do not attribute that exclusively to the tramways, because all ground has risen in value; but a great great deal of it has risen in consequence of them; and, as a proof of that, you will see constantly in the Edinburgh newspapers, houses advertised for sale, and they put in, as an advantage, "Near the tramway line," and last Saturday I was much amused by seeing an advertisement "Near the proposed tramway lines," where they are I do not know, but it shows the people's opinion of the value of the tramways being near them. The value of the fening ground about the Merchiston district was 50 *l.* an acre a few years ago; and it is now fening at 120 *l.* an acre.

Sir *Graham Montgomery*—continued.

1068. I was alluding specially to the working-class dwellings; is it the fact that the working classes are leaving the old town of Edinburgh, and settling in the outskirts?—Yes, very large building operations are going on to the west of Edinburgh for the working-classes. Also between Leith Walk and Easter Road the district is covered with houses for the working classes, and I know from being connected with a society which lends money upon them, that those houses are bought almost before they are finished, such is the demand for them.

Mr. *Holms.*

1069. If you, as a company, had the power, would you use steam instead of horse power?—In certain districts, certainly.

Mr. *Knight.*

1070. Do the new villages escape the Edinburgh rates, or do they pay the same rates as are paid in Edinburgh?—Some of the villages are within the Edinburgh municipal boundary, and they pay the same rates; other villages are beyond the municipal boundary, but the great majority that have been erected recently are within the municipal boundaries, and pay the same rates.

Mr. *Maurice Brooks.*

1071. Upon certain lines do you find that the low fares are more remunerative to the company than high fares?—Most decidedly; I have no doubt about that. Our fares in many instances are very considerably below what we are entitled to charge by Act of Parliament.

1072. That is 1 *d.* per mile, and for each portion of a mile, is it not?—No, our Act prescribes 1 *d.* per mile, and no fare below 2 *d.* Then it is not for each mile. A man may get in where he likes and get out where he likes; if he travels one mile he pays 2 *d.*, and if he travels two miles he pays 2 *d.*

1073. Have not you relaxed your statutory rights, and do you not carry passengers at 1 *d.* per each mile?—Yes, and a great deal below it; we carry the working classes at ½ *d.* a mile.

1074. Do you do that at all hours of the day?—No; at the breakfast and dinner hours, but many of our fares are below the statutory fares. Here is our fare-table: "Special 1 *d.* fares:" that is half what we are entitled to charge between the Post Office and the west end of Princes-street, and so on. Besides that, we have packets of tickets at price 10 *s.* for 80 school tickets to Portobello; and that is 50 per cent. below what we are entitled to charge.

1075. But you do not adhere rigidly to the section of the Statute, do you, which compels you to carry passengers at cheap rates at six o'clock in the morning, but you extend your cheap rates to the breakfast hour, between eight o'clock and nine o'clock in the morning, and five o'clock in the afternoon?—Yes, at five in the afternoon.

1076. Is that found to be an advantage to the working classes of Edinburgh?—Yes; you will find at these hours that the cars are crowded with working men.

1077. And are those trams at those hours of the day remunerative to the proprietors of the tramway

Mr. *Maurice Brooks*—continued.

tramway system?—In summer they are, but in winter I do not think they are in the early morning; what we do is this, we have a notice board, "Working man's car," and at certain hours that is hung up in the ordinary car; besides that we have the early cars which carry them to their work at six o'clock in the morning, but the ordinary car at five o'clock in the afternoon is converted into a working man's car by having that board up.

1078. Is that five o'clock car remunerative?—I should doubt it, but I do not think we lose much by it.

Dr. *Wood.*

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Dr. JAMES BARRAS, called in; and Examined.

Dr. *Barras.*

Chairman.

1079. You are a Doctor of Medicine living at *Govan, are you not?—Yes; near Glasgow.*

1080. And your practice is in Govan, is it not?—Yes.

1081. You are able to speak from actual experience, are you not, of the steam tramway that is working in the Vale of Clyde?—I am.

1082. It passes, I understand, your door?—It does.

1083. And you use it, do you not?—I do.

1084. Do you use it in the discharge of your professional duties?—Yes, I do.

1085. Are you connected with the company?—No, I am not connected with the company in any way.

1086. We shall be glad to hear your experience, as one of the public; for what time has the steam tram been in use?—It has been in use for about a twelvemonth.

1086*. And I believe it consists of an engine and car?—Yes, an engine and car; a traction engine.

1087. Is the engine separate from the car?—Yes, it is separate from the car; the car is joined to the engine.

1088. And running what number of trams in the course of a day?—They run every eight minutes between Govan and Glasgow.

1089. Therefore to supply the number of trams there must be a considerable number of engines and carriages at work?—Yes, there are five or six, and sometimes seven on Saturday evenings and at holiday times.

1090. Is the street or road along which this steam tram runs, a populous street?—Yes, it is the main turnpike road between Glasgow and Renfrew.

1091. And there is a great daily heavy traffic running along it, is there not?—Yes.

1092. Such, for instance, as waggons with steam boiler plates and engines and carriages?—Yes.

1093. Is that a road on which there is a great deal of light rapid traffic also?—Yes.

1094. What effect have you noticed produced upon the horses by the passage of these trams?—At first they shied a little, but now they have got quite accustomed to the steam car; in fact I have seen the same thing when drawn by horses at first, but the horses have got quite accustomed to the steam car.

1095. Have you observed any nuisance arising from the passage of the engines?—I have seen it, but not at the present time.

1096. What nuisances did you notice?—There was a great emission of steam, smoke, and water, but all that is remedied now.

1097. Is there any noise caused by the working of the engine?—No, there is no noise whatever.

1098. Nor anything that is objectionable to the passengers on the cars?—Not now.

Chairman—continued.

1099. Are they outside cars?—Inside and *out.*

1100. What is the width of the road along which the tramway runs?—The average width is 30 feet 8 inches.

1101. And it is a double line, is it not?—It is a double line.

1102. Is it a double line in all parts?—In all parts.

1103. That width is from kerb to kerb, is it not?—Yes, from kerb to kerb.

1104. From what you have seen of the working of the tramway, would you say that steam traffic is preferable to horse traffic?—Yes, it is.

1105. Would the average speed of these trams be greater than the speed of horses?—Yes, it would be greater.

1106. Is there any limitation as to speed?—Yes, they are bound down to eight miles an hour.

1107. Who imposed that limitation?—The Board of Trade; I have a copy of the bye-laws here. (*Handing in the same.*)

1108. Is this company working under sanction?—It is working under a special Act.

Mr. *Pemberton.*

1109. Have you a copy of the Special Act?—No.

1110. What are the fares?—The fares are 1 *d.* in, and 1 *d.* out.

1111. When was the Special Act passed under which they are travelling?—In 1876.

1112. Have you seen these regulations which have been issued by the Board of Trade?—No, I have not read them.

1113. They are issued as propositions only?—I have not read them.

1114. As I read the regulations and bye-laws that are embodied in your private Act, they appear to me to be the same as those that are now proposed?—It may be so.

1115. I see that every engine has to be fitted with an indicator?—Yes, that is so.

1116. Which shows and records the speed?—It shows the speed, and records it for the time.

1117. It does not record the past speed, does it?—No, it does not; it is not at present practicable to do so.

1118. It is not a recorder in a technical sense, but only an indicator?—It indicates the speed at which the car is going at the moment.

1119. It records the revolutions of the wheels?—Yes.

1120. Do you think it useful?—Yes, because the passengers see it.

1121. I believe the engine has a fender to push aside obstructions?—Yes, according to the Board of Trade bye-laws.

1122. I am reading now from the regulations embodied

Dr. *Barras.*

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Mr. *Pemberton*—continued.

embodied in your Act, but I see no difference in them from those issued by the Board of Trade; will you tell me this, are you in any way connected with the company?—I am in no way connected with the company; I am speaking as one of the public.

1123. Here I see a bell is to be sounded by way of warning?—There is both a bell and a whistle; the bell was considered an intolerable nuisance at one time.

1124. Do you also find this regulation contained in the Board of Trade regulations submitted to us, "Every such steam engine shall be free from noise produced by blast or the clatter of machinery, and shall not emit steam or smoke, and no fire in, on, or under it shall be visible?—That part is not here.

1125. "And the machinery shall be concealed from the view at all points above four inches from the level of the rails; no hot air shall issue at the back and annoy the passengers"?—There is a part of that here.

1126. Is there any material difference?—No, very little difference.

1127. Then as to the entrance to the cars. "The entrance to exist from, and accommodation in the carriages used on the said tramways for passengers, shall be entirely separated from the fire, boiler, and the machinery of any steam engine used for drawing or propelling such carriages," does that work well?—It does.

1128. And then there is a limit, is there not, as to the speed, that it shall not exceed eight miles an hour?—Yes, eight miles an hour is the maximum, they cannot go beyond 10 miles; the steam is shut off, and the brake applied.

1129. By a self-acting brake?—Yes, by a self-acting brake.

1130. And the speed is reduced to a maximum of four miles where you cross facing points?—Yes.

1131. Are you aware whether or not there is any regulation that you shall stop altogether?—These bye-laws say that in the event of a horse being frightened, the engine shall stop.

1132. I refer to the facing points; was it at any time suggested that the engines upon this line should absolutely come to a dead stop when they came to facing points?—No.

1133. The bell has to be sounded by the driver of the engine, in case of approaching danger, has it not?—Yes.

1134. And he is to stop in the event of a horse being frightened?—Yes.

1135. And then it says that the bye-laws are to be printed, and a copy put up in a conspicuous position in each carriage?—Yes.

1136. Do you know of any point in which those regulations and bye-laws have operated harshly?—I know of none.

1137. Do you suggest, in the interests of the public, any additional stringency that should be imposed?—As at present in use upon the Vale of Clyde, I think the thing is perfection; the people there are all pleased, and they would not go back to the horse-power. The engine is under perfect control, and there are fewer accidents now than formerly; the car can be stopped in its own length. I have seen accidents prevented myself by the suddenness with which the car can be stopped.

1138. Do you refer to cases where they would have occurred with horses?—Yes.

Mr. *Pemberton*—continued.

1139. Are you aware what regulations are made between the company and the road authority?—No; they are, of course, under the local authority; I do not know what powers the local authorities exercise; but I know that they are pretty well watched; so much so, that the police, sometime before the management was changed, took the steam cars under their personal supervision; they were at that time creating a very great nuisance, and I cut out of Tuesday's paper a paragraph to the effect that the police have now reported that these tram engines are working satisfactorily.

1140. Is the width of 30 feet 8 inches, that you mentioned, the width in the narrowest portion?—That is the average.

1141. Are there any points in which the width contracts?—There is one point where it is 29 feet 6 inches, and another where it is 29 feet 11 inches.

1142. What is the narrowest gut?—29 feet 6 inches; and the widest is 32 feet.

1143. In the 29 feet 6 inches, is the double line allowed?—Yes, it is a double line all the way.

1144. Are you aware, speaking as a resident, whether any of the frontagers make any objection; the people whose houses abut on the sides?—No, they make no objection at all.

1145. Is your own house immediately on the road?—My place of business is on the main road, not my house.

1146. Do I gather from your evidence that you think the imposition of a minimum width unnecessary?—The steam trams have worked so well on this road that I think it would be perhaps a somewhat unfair thing to limit the width to anything much above 30 feet.

Sir *Graham Montgomery.*

1147. I want to ask you a question about the engine drivers; what class of men are they?—They are a highly respectable class of men.

1148. Are they old railway engine drivers?—No, I do not think so; I think that an ordinary mechanic could drive these engines quite well. I do not think that it would take a man who knew nothing about an engine more than a month to learn to work it.

1149. Since this line has been opened, there have been no cases of careless driving, have there?—I have heard of none.

Chairman.

1150. Up to what hour of the night do they work?—From eight o'clock in the morning to 11 o'clock at night; and one engine can take on two cars if there is a busy time.

1151. Is there no glare of fire in the dark?—No; it is so well managed now that everything may be said to be as near perfection as it can be.

1152. And there is no illumination at the top of the funnel?—No; those passengers who are on the top of the car are as comfortable as those inside, so far as any offensive smell and smoke is concerned.

Sir *Graham Montgomery.*

1153. A careless driver of a steam-engine might do much more damage to persons passing than the driver of an ordinary tram car, might he not?—Yes, but the man knows that it is his duty to be careful, because he is taken up and punished for any accident. He is under police supervision,

Dr. *Barras.*
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Sir *Graham Montgomery*—continued.

supervision, and they would watch him very minutely.

1154. I believe that there have been few, if any, complaints by the police as to the working of this line?—There were at one time a good many complaints, but of late there have been very few, if any.

Chairman.

1155. Are there any special regulations or bye-laws laid down by the police, in addition to those embodied in the Act?—No.

Mr. *Holms.*

1156. Is there much traffic on the road over which this tramway runs?—Yes, a very great amount of traffic; a heavy traffic. It is a town of 45,000 people.

Mr. *Maurice Brooks.*

1157. What is the distance between the termini of the line?—At present it is a mile and a half, but they are going to extend it another quarter of a mile; and they have a mile still unused.

1158. A mile and a half at present is run?—Yes.

Mr. *Maurice Brooks*—continued.

1159. And what is the fare?—The fare is 1 *d.* inside, and beyond the station it is another 1 *d.*; it is 2 *d.* inside, and 1 *d.* outside; and they will charge 1 *d.* for a mile and three quarters outside.

1160. Do you mean that the passengers outside are carried a mile and a half for 1 *d.*?—Yes.

1161. You have nothing less than 1 *d.*, have you?—No, and the directors mean to run the other quarter of a mile, and make no change in the fare.

1162. Before the application of steam to this line, were the fares the same as they are now?—Yes, just the same sort of fares.

Chairman.

1163. I think that in the Vale of Clyde Act, there was a clause inserted renewing some rights of the road, and local authorities with regard to the regulation of traffic; what I asked before was, whether there were any regulations outside these that are in your Act?—I do not think that there are any regulations outside it.

1164. I believe that these bye-laws are precisely the same bye-laws as were put in another Act passed about that time, the Wantage Act?—I cannot speak to that.

Mr. Charles Beeden King, called in; and Examined.

Mr. *King.*

Chairman.

1165. You are a Civil Engineer of many years' standing, are you not?—I am.

1166. And you have, I believe, given much attention to the subject of working locomotives on common roads, and on tramways?—I have.

1167. Did you give evidence before the Select Committee last year upon this subject?—I did.

1168. It is since you gave evidence that these proposed regulations and clauses have appeared, is it not?—Some of them.

1169. Would you take that paper in your hand, and give us your view upon any of them that you think worthy of observation; as to the width of streets, do you think it would be necessary to lay down a minimum width of streets, or would you leave it to the discretion of the local authority?—I am inclined to leave it to local discretion, always, coupled with an appeal to the Board of Trade, or some central authority.

1170. Do you think that it would be necessary to say anything about the part of the road in which a double line or a single line should run, or would you leave that point also?—If it were a double line, it should be placed in the middle.

1171. And what would you do with regard to a single line?—A single line, I consider, should be at one side.

1172. We have had evidence to-day that was contrary to that view?—That may be so.

1173. I want to know the reasons which make you state a contrary opinion with respect to the possibility or the advisability of making a single line run at the side of the street?—I prefer a single line, if it is a single line, to be run at the side, and a double line in the middle.

1174. Would not the running of a single line at the side interfere with the local traffic, such as carriages and horses drawing up to the shops or houses?—No, because the tramway really is only a monopoly in the same way that another vehicle is as regards its length, it only occupies a certain length in the street, and I do not see that there would be any practical difficulty in it.

Chairman—continued.

1175. It could not get out of the way except by moving on, could it?—A tram-car could not get out of the way.

1176. Except by progressing?—Except by progressing.

Mr. *Holms.*

1177. How could it pass a cart or carriage standing at a door on the side of the street?—Of course a stipulation could be made that there should be sufficient room for a vehicle picking up and setting down.

Mr. *Pemberton.*

1178. Then you cannot have it at the side, can you?—You can, practically. It is a question of local management.

Chairman.

1179. Would you abide by the 9 feet 6 inches?—No; I should make it considerably less than that.

1180. The 9 feet 6 inches was proposed in order to allow of the side traffic, was it not?—It could be made very much less.

1181. Without interfering with the side traffic?—I think so; I would not however make a hard-and-fast statement about that point.

Mr. *Pemberton.*

1182. What is the width of an ordinary cart or carriage stopping at a door?—Four feet six inches would cover it in many instances.

Mr. *Bates.*

1183. It is a great deal more than that, is it not; supposing a waggon was discharging goods at a shop door, such as cheese, bacon, and things of that sort, what must the man do if the tram-

Mr. *King*.

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Mr. *Bates*—continued.

way is at the side, must he go out of the way, and come back again?—No, I say again, he should be subject to the local authorities.

1184. As a matter of course, the man is entitled to be a certain time discharging his goods?—You are perfectly aware, of course, that I am not laying down a general rule.

Mr. *Pemberton*.

1185. This is on the point as to whether in a narrow street, the tram should be in the centre or at the side, is it not?—No, not a narrow street. I have in my mind now several towns applying for Provisional Orders, where the main street is only really occupied on one side by shops; and I can tell the Committee what those towns are.

Sir *Graham Montgomery*.

1186. You would not compel them to have the line at the side of the street, would you?—No, not compel them.

Mr. *Holms*.

1187. Where you have a street in a town with shops on both sides of the street, 20 feet from kerb to kerb; if you left room on each side for carriages and carts to draw up and discharge, you would require to put the tramway line in the centre of the street, would you not; It would be necessary in such a case.

Mr. *Bates*.

1188. You could not do that in a road only 20 feet wide, there would not be room enough on each side?—Not if it was a double line; but circumstances alter cases.

Mr. *Holms*.

1189. If you have a street 20 feet wide, and in the centre you require six feet for the tramway car, it would leave at each side seven feet for the ordinary traffic, would it not?—Yes.

1190. And it would be ample, and more than sufficient for any carriage or cart to stand, would it not?—No doubt, at the side.

Chairman.

1191. Perhaps you would like to speak specifically as to some of the mechanical conditions, which the Board of Trade proposes to lay down?—Yes, I would. I think that very large discretionary power should be left to the driver of the engine; and that his attention should be as little as possible called from his work, and should be as little as possible directed to other points, except driving his engine and seeing what is in the way.

1192. In short, you think that you should not have too many mechanical appliances to distract his attention?—He should have no mechanical contrivances, except his steam valve and brake lever.

1193. What should you say to a brake lever, which should be out of the reach and control of the driver acting automatically, so that if he exceeded a certain speed, the train would be pulled up?—It would decrease his own personal responsibility, and therefore, I think, that it would be unadvisable.

1194. Then as to the question of the indicator, would you think it advisable to have an indicator?—No, I think that there is no use in it; and it is a very difficult thing to get to work well.

Chairman—continued.

1195. There is no use in it according to your view, but would it not be an authoritative declaration of the speed at which the engine was going at the time that an accident happened?—As a matter of fact, the engine would be working at a certain speed; and I do not know of any mechanical appliance, which really would, if brought up suddenly, satisfactorily record that speed; at all events, practice has not brought out such a perfect instrument as that.

1196. I refer to it, indicating the mere revolutions of the wheels, and the speed at which it is going at the moment, say, of a collision?—My remark was rather directed to that; that is, that any machinery or apparatus would be almost rendered powerless by a collision, or by a severe shock.

1197. And the delicacy of the instrument would be deranged, and it would not be an authoritative record?—That is my opinion.

1198. With what steam tramways are you more especially acquainted?—I have seen them pretty nearly all; and I should wish to add, that last year I directed considerable attention to this subject; and since then, I have come to a different opinion to the one I had formed when answering the question as to the then requirements of the Board of Trade. The question I refer to is No. 854 of my evidence; that merely travelled over the experience I then had. And I would also wish to add that I consider an engine is so thoroughly a means of storing up power, that I do not think a governor to cut it off at any excessive speed, should be applied to engines; and I give my evidence against such mechanical appliances.

Admiral *Egerton*.

1199. Do you say that they should not or could not?—They should not, because the effect of being controlled would be more liable to cause an accident, than if the engine was uncontrolled, and in the hands of a skilful driver.

Chairman.

1200. I suppose you would approve of the reasonableness of imposing a condition that the brake power should be sufficient?—Certainly.

1201. What do you say with regard to the steam pressure?—There is really no limit, because one boiler will work best at a different pressure to another; it is entirely a matter of construction and experience; there is no limit to the pressure of railway engines; sometimes they work at 150, and sometimes at 250 lbs. to the square inch and more.

1202. Looking at the fact that it is not impossible that at some time steam may be applied to narrow streets, would not it be desirable in the interests of the public to have some supervision as to boilers, and some limitation as to the pressure of steam on the square inch?—Not a hard-and-fast line; I think that there might be an inspection of the engines occasionally by the Board of Trade, or any other central authority.

1203. You have seen a great number of these engines at work, have you not?—I have.

1204. And I think that you have also seen on engines both the indicator and the recorder?—I have, but not perfect.

Chairman—continued.

1205. And you do not recommend either?—No, I do not see the practical use of them.

1206. Is there any part of your evidence of last year which you would wish to correct or modify?—None, except what I have referred to. But I should like to say, as a rider to the evidence of Major General Hutchinson, who mentioned the other day that the whole of this matter was an experimental matter, I venture to put my opinion before the Committee upon that point; and I have here the particulars of the number of engines used on the Continent, and other parts of the world.

1207. What number of different engines are running, or are in use, in this country, at this present moment?—In this country the number is limited.

1208. We have heard of Merryweather's and Henderson's, and a number of different engines; can you speak of the number of different kinds of engines that have been adapted for steam traffic on tramways, in this country?—In this country, as I have said, it is limited; they have got a certain number employed at the Vale of Clyde, and Wantage, and Swansea. I was rather referring to Continental cities in which they are in use. I expressed my opinion before the Select Committee last Session, and I am quite willing to confirm it now, that I certainly cannot consider this as an experimental matter. I think it has gone out of the region of experiment, and has become something tangible, and something which we thoroughly understand.

1209. Having regard to that copy of regulations, laid down by the Board of Trade, as to the mechanical appliances with which the engines are to be fitted, do you think that they are likely to check experiment?—I think so.

Mr. *Holms*.

1210. When you said that the use of mechanical power has now gone beyond the region of experiment, did you refer to this country or abroad?—I refer generally to the time at which we are speaking.

1211. Can you tell the Committee how many locomotives are being used on the Continent?—Seventy-two.

1212. Where are they using the 72?—They have 37 in Paris, which are temporally suspended; there are five in Barcelona, and the Vale of Clyde have eight, Swansea has three, Wantage has three, Cologne has one, Bilboa has two, Hesse Cassel has five, New Zealand has five, Lisbon one, Guernsey one, and at the Hague one; and wherever engines have been used, there have been more ordered.

Mr. *Holms*—continued.

1213. What have you to say about the United States; have they a number of engines in use there?—I have not been able to get that information in time for the Committee; but I might be able to do so before the Committee terminate their inquiry. I have already sent over for it.

1214. I think you said that you did not approve of having an indicator to cut off the steam; upon the Vale of Clyde tramway system, as you are aware, they have an indicator, and when it indicates a maximum speed of eight miles the steam is immediately cut of?—You are referring, I think, to the governor acting on the throttle valve.

1215. The two work together; and when it indicates eight miles, the governor then acts by cutting off the steam?—Yes.

1216. Do you approve of that?—I disapprove of it.

1217. I do not quite understand your objection to the governor cutting off the steam; will you explain it a little more fully?—I should think very often an occasion might arise when an accident would occur by the engine-driver not being able to put on steam to get past an obstruction on the way; say, coming at right angles, or in the case of going up an incline.

Mr. *Knight*.

1218. What advantage do you think the public would derive from the use of steam on tramways?—They would go much quicker and with greater certainty; the fares would consequently be lower by reason of the tramway companies being able to take them a longer distance for the same money.

Mr. *Maurice Brooks*.

1219. Did you ever hear of any proposal to apply speed indicators to omnibuses?—No, I cannot say that I have.

1220. Do you think that they would be more useful in tramways than in omnibuses?—You might apply it with advantage to some of the metropolitan omnibuses; they require speed indicators, I think.

Mr. *Bates*.

1221. Do you mean to make them go faster?—Yes, to make them go faster.

Mr. *Maurice Brooks*.

1222. But they are not more necessary for tramways than for omnibuses, in your opinion, are they?—No.

Monday, 13th May 1878.

MEMBERS PRESENT:

Mr. Maurice Brooks.
Admiral Egerton.
Mr. Holms.
Sir Graham Montgomery.
Mr. Denis O'Conor.
Mr. Arthur Peel.
Mr. Pemberton.

ARTHUR PEEL, Esq., in the Chair.

Mr. Dillwyn Parrish, called in; and Examined.

Mr. *Parrish.* 13 May 1878.

Chairman.

1223. I believe you are engaged in the profession of a tramway contractor?—Yes.

1224. And you have had considerable experience as such in this country and in the United States of America?—I have had considerable experience in this country, but not in the United States of America.

1225. But I believe you know something of the tramways in Philadelphia?—I know something of tramways there, but I have never constructed any there.

1226. Are you able to speak generally of any experience that you have gained of steam tramways in the United States?—Nothing but a considerable study and careful observation of the practical working of tramways.

1227. I believe they are worked to a considerable extent, in Philadelphia, especially?—No, I cannot go to that extent, but experimentally they have been; there have been many experiments made there. One line of tramway at one time had seven engines working upon it.

1228. Was that in the heart of the town?—Through the very heart of the town; through the most crowded streets.

1229. What would be the width of that street?—It was a very wide street with a double line.

1230. Would there be any limitation by the municipal authority, as we call it here, as to the width of the street in which they were permitted to be worked?—It was only done by sufferance, just as an experiment; but there was no limitation as to width.

1231. Are there any bye-laws drawn up by any local authority, restricting the liberty of tramway companies in that respect?—I do not think that there are bye-laws, but I think that in the Acts or charters under which the companies were established, it was never contemplated to use anything but horse-power at the time they were made, over 20 years ago, when they were established, before steam was thought about.

1232. Therefore steam has been introduced upon tramways that were originally built for horse traction?—Entirely.

1233. If you do not know this of your own knowledge I will not press the subject; but are you aware whether any conditions were laid down when the concession was made as to the recurrence of the tramways to the local authorities?—No, the charters are perpetual.

Chairman—continued.

1234. Are you aware whether that subject has been mooted, as to whether a concession for the use of steam-power for five or ten years has been allowed to tramway companies?—No, I have not heard of anything of that kind.

1235. Is that the state of things in the case of horse tramways?—The charters are perpetual for horse tramways.

1236. You have some strong opinions, have you not, on the utility of mechanical power as compared with horse-power on tramways?—I have formed an opinion upon it.

1237. And you also entertain an opinion, do you not, that it is economical as well as safe?—It is economical in some instances, in other instances I think it is not as economical as horse-power; upon perfectly level roads, where a one-horse car is to be used, I think steam would not be so economical.

1238. But what would you say where there are steep gradients?—Where there are steep gradients, and more than two horses are required, it is unquestionably economical.

1239. You would say that a single car drawn by two horses on the level would be more economical than a steam tramway?—Drawn by two horses, I think it is open to question, and it would be very much regulated by circumstances as to whether it would be economical or not; on some roads the horses could do much more mileage than on others, therefore the expense of traction would be very much less.

1240. You have constructed tramways, have you not, in this country?—Yes; we constructed the first tramway in this country, under Parliamentary power, the Liverpool line in 1869; we constructed afterwards the Dublin lines, and the North Metropolitan lines in London.

Mr. Maurice Brooks.

1241. In what year were the tramways constructed in Dublin?—The Dublin tramways were constructed, I think, in 1871.

1242. Have

Chairman.

1242. Have you constructed or adapted any lines for steam traction?—Not specially for steam.

1243. On any lines that you have constructed, is steam used now?—No; no lines have been constructed by us on which steam has been used.

1244. What is your opinion as to the amount of control which should be exercised by the road authority over the construction of tramways?—I have had considerable experience in dealing with road authorities, and I have found them sometimes very difficult to deal with, and very difficult to make any terms with at all; they seem to look upon a tramway company as a company who ought to pay most of their road expenses, and, in fact, they ask for very many extraordinary clauses.

1245. Are you speaking of the road authority or the local authority?—I was speaking of the local authority.

1246. I want to distinguish the road authority from the municipal authority; the road authority sometimes make terms which are too onerous, according to your opinion, upon the company?—Both authorities do more or less; but my remarks apply more particularly to the local authority.

1247. Have you found that practically the conditions that they have imposed have operated as a veto upon the construction of these lines?—I am not quite able to say whether it has been the road authority or the local authority, or both in each instance, but in several cases in my own knowledge, and in fact in the Session of this year they have acted as a veto; and out of four Bills which I was this year promoting, three of them were actually withdrawn on account of our being unable to come to any terms with the local authorities.

1248. But considering that the local authorities are most conversant with the local affairs and local necessities, how would you deal with them?—I think there should be in all cases the power to appeal to some intermediary; the Board of Trade, or some other authority.

1249. Do you think that an appeal to the Board of Trade would get over the difficulty?—Yes; many issues that are raised are not technical questions at all connected with the tramways, nor are they at all special to the particular towns, but they are general questions, such as whether the corporation shall have power to order the tramways to be taken up at any time, or whether they shall have power to license other proprietors or other companies to run upon the lines, to an unlimited extent; and broad questions of that kind.

1250. Are you aware whether any steam tramways are running in England under arrangements with the corporation or the local authority, as to allowing them to be taken up at the end of a certain time, if the local authority wished it?—I think that the Birkenhead Company is under that condition, but that is worked only by horses.

1251. Do you know what is the length of that concession, or from what term of years it is granted?—I think that that concession is a contract made between the company and the corporation of Birkenhead for periods of about 10 years, or something of that kind; but the tramway has been proved to be such a necessity for the town,

Chairman—continued.

that it practically is a dead letter; the contract is always renewed.

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Mr. *Pemberton.*

1252. The 10 years have not passed yet, have they?—Yes, the Birkenhead Line was formed in 1861 or 1862, without any Parliamentary power whatever.

1253. It is a horse-tramway, is it not?—I am speaking of a horse-tramway.

Chairman.

1254. Have you seen some draft rules and regulations which have been put forward by the Board of Trade to govern this question?—I think I have. I presume this is a copy that I have. I presume it is the one referred to.

1255. Perhaps it would be convenient to ask you to look at the new rules (*handing the same to the Witness*). You would agree, would you not, that there should be some conditions as to the use of steam or mechanical power on tramways, and that there should be some regulations laid down by a central authority?—Yes, I should think so, certainly.

1256. Will you look at Schedule A in that Paper, which contains the restrictions and requirements and conditions with respect to the use of steam or any mechanical power on tramways; we will take them seriatim. The first is that no steam or mechanical power is to be used in streets of less than a certain width, or in roads of less than a certain depth; do you approve of that distinction between streets and roads; in the first place, do you think that there should be a restriction as to the width of streets, and a restriction as to width of roads?—That is for the use of steam only.

1257. I am talking now exclusively of the use of steam?—A steam-engine can work on any tramway where a car can be drawn by horses; I do not see that the restriction of width is of particular importance; there are certain widths given in which horse-tramways can be constructed; and if they can be worked satisfactorily with horses in streets of that width, I do not see why they should not be worked with steam, provided that the steam-engine itself is not a nuisance or objectionable.

1258. Do you think that we have arrived at such perfection in steam engines as to allow, without detriment to the public, or inconvenience to the houses on each side, a steam-engine to run in the narrow streets where horse-tramways are allowed?—Of course we have not arrived at perfection in steam-engines; but I think there are steam-engines made that get rid of most of the difficulties; the steam does not escape, and the noxious gases escape only to a very limited extent; and, as far as I know, there is no noise with those that I have seen.

1259. Would it be your opinion that it would be unnecessary to insist upon the limitation as to width?—With a hard-and-fast line as to width, it would make steam traction almost impossible in most places, because the streets vary so much in width that there might be a short distance of street that would be within the statutory width, and that would make steam traction impossible for the whole length of the line; it seems to me that each case might be taken upon its own merits, and sanction given or refused according to the merits of the case.

Mr. *Parrish.*

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Chairman—continued.

1260. Would it be your view that each case might be taken on its own merits, as between the road authorities and the projecting company, with an appeal to the Board of Trade?—Yes, that would be my view exactly.

1261. As to the mechanical appliances on the engine, would you insist upon brake power of a certain strength being used?—Yes, I should think that the engine should be provided with ample brake power, not only to stop itself, but the car attached to it. Upon that subject, I should like to mention that I have read some of the evidence given before this Committee, though not all of it; and I notice that a good deal of stress is laid upon the brake power. I should like to mention that there is a brake in use abroad which I have never seen in this country, and which I know does not exist in this country, which I think would meet the case exactly; it is a brake that works direct upon the rail, and not upon the wheel at all; it is a shoe, that by means of screw power is brought down upon the rail, and raises the car actually off the wheels, and brings it upon the shoe entirely.

1262. Is it like the shoe that is used in the case of carriages?—No, that is a shoe that goes under the wheel; this does not go under the wheel; it goes between the wheels, and presses directly upon the rail upon each side.

1263. Leaving the wheel perfectly free?—Yes, it is a brake that I have seen used in San Francisco, where the gradients are probably worse or as bad as in any city in the world. They have a tramway there on an incline of one in six, worked by mechanical power.

1264. By steam?—By steam, but not by traction power of this kind; it is a peculiar power, an underground wire rope, to which the cars are attached or disconnected as you require to start or stop them.

Mr. *Pemberton.*

1265. Is it worked by a stationary engine at the top?—Yes, by a stationary engine at the top; it is the most perfect I have seen as to mechanical power. The cars are attached to a rope, and when they want to stop the car they let go the rope, and apply the brake power upon the rail. There is no brake upon the wheel at all; they stop the cars instantaneously.

1266. What would be the velocity at which the whole engine and carriages would be travelling?—Six or seven miles an hour.

1267. And it would bring them up within what space?—If applied vigorously in case of emergency or accident, it would bring them up within a space of five feet, but that would be too sudden; something might break; as a matter of fact they bring them up gradually, probably within the space of five or six yards.

1268. Could that be applied to a locomotive engine?—Perfectly well. I have a drawing of it; it is a very simple apparatus.

1269. Is it attached to the tram?—It is attached to the bottom frame of the locomotive or tramway car; the driver would work it with the foot-wheel; it works upon screws in opposite directions at the end of a lever upon which are shoes which press upon the rail. It is hard to describe a mechanical appliance of that kind without a drawing.

Chairman.

1270. At what point does it impinge upon the line?—Between the two wheels.

Admiral *Egerton.*

1271. It raises the carriage bodily?—By screwing it sufficiently it would raise the carriage up; it impinges upon the rail gradually.

Mr. *Maurice Brooks.*

1272. How do they resume the rope if they cast it off?—That is done by a very ingenious mechanical contrivance; it would be impossible to describe it without drawings. This is a system which is used on a number of lines in the city of San Francisco, and is being adopted on all of them.

Chairman.

1273. Speaking as a practical man, with a large observation upon this matter, would you be an advocate for a special brake power being mentioned in the regulations?—No, certainly not.

1274. Would you content yourself with saying, An efficient brake should be made use of; or with saying, A brake sufficient to pull up the engine and carriages within a certain distance should be used?—I should think that the expression should be to the effect that the brake power should be sufficient to bring up the engine and the carriage attached to it within a certain specified distance.

1275. You would specify the distance, would you?—I should think that it would be a useful clause, though not, perhaps, a necessary one.

1276. The alternative that I had in view was leaving it as an efficient brake, and leaving it to the authority of the Board of Trade to say whether it is an efficient brake or not?—I think that, as a rule, the less hard-and-fast lines that you draw the better, leaving it to the Board of Trade to determine.

1277. We have had a great deal of evidence upon the two questions of the indicator and recorder: that is to say, a means by which the speed shall be shown and recorded?—I have never seen an instrument which would record the speed; there are many instruments to indicate the speed, but I should think that the police regulations would be sufficient with regard to that in the same way as with an omnibus or a cab; if a man drives too fast with an omnibus or a cab, or a vehicle of any kind, he is subject to penalties, and I do not see why the same restriction should not be imposed upon tramways, whether worked by horses or steam.

1278. Is it your opinion that inasmuch as the speed which is likely to be attained by steam tramways would not exceed that of omnibuses, that there would be no necessity to have a contrivance to indicate the speed at which the vehicle is travelling?—It would probably exceed the speed of an omnibus but not that of a hansom cab; I think I have driven in hansom cabs faster than tramways would be likely to run through the streets.

1279. Would you have any restriction as to speed?—Yes, I think that there should be a restriction as to speed.

1280. What restriction would you propose?—I do not know that I have thought sufficiently upon the subject to be able to say what the speed should be.

1281. What

Chairman—continued.

1281. What would be the utmost speed consistent with safety?—I think that there should be a distinction made between the crowded streets of a town and a country road.

1282. You think that that should be governed by the circumstances of the case?—I do.

1283. But would you say in the regulations that such a speed should be permissible in the metropolis and such a speed in suburban tramways?—Yes, I think the limitation of speed is quite necessary.

1284. What speed do they practically run these steam tramways where you have seen them?—Not more than from six to eight miles an hour; not to exceed eight miles an hour.

1285. Is that in the city?—In the city.

1286. Would you have an indicator?—I confess that I hardly see the use of the indicator.

1287. You would not have an indicator, then, as distinguished from a recorder?—I think it is, perhaps, to a certain extent a convenience, but I cannot see that it would be much of a safeguard to the public.

1288. As to the fender to push aside obstructions, would you see any objection to that?—I should think that it would be very desirable to have it.

1289. And to insist upon it?—Yes.

1290. And that there should be either a bell or whistle to warn people of the approach of the tramway cars?—Yes, that is practically done with horse tramways now.

1291. Is it too much to say that before any engine is allowed upon a tramway, it shall be free from noise?—Free from any considerable noise; I suppose any engine must make a slight noise of some kind or other.

1292. If you make the statement at all, it must be construed with some kind of latitude, by common sense; I see the regulation is very large; it says, "Every engine shall be free from nose produced by blast or clatter of machinery;" do you think, interpreting that reasonably, that it is an unreasonable regulation to impose?—No, I think not; I think that is a reasonable regulation. I think that that clause, as it stands, is a very reasonable clause.

1293. Would you agree to the rest of the clause as to concealing the machinery from view at all points, so as to be out of the view of passing horses?—Yes.

1294. And lastly, as to the entrance to, and exit from, and the accommodation in the carriages?—I do not quite understand that clause; whether it means that the engine shall be in a separate truck or vehicle from the passengers, or only separate from them on the same truck.

1295. Is it liable to be read in both ways?—In either case the engine should be entirely separate from the passengers.

1296. Do you see any objection to the engine being homogeneous with the passenger car?—That is a subject that has never yet been decided to the satisfaction of either tramway companies or anybody else; whether it is better to have the engine and boiler upon the same wheels as the passengers, or upon separate wheels, there is a great deal to be said for both, but in either case the engine and boiler should be separate entirely from the passengers, so that the passengers could not in any way come in contact with them.

1297. You would not say that, in case of explosion, they would be safe; you can hardly guard against that?—In case of explosion, in either case, it is likely that somebody would be hurt.

Chairman—continued.

1298. That ends the regulations. By Part 2, there are laws laid down by the central authority, which are to be embodied in any Tramway Act; one of the bye-laws is, that the engines, when they pass facing points, are not to go at a speed of more than four miles an hour; would you lay down regulations of that kind?—I think that the speed should be limited to that at facing points, undoubtedly.

1299. Will you look at No. 2 of the bye-laws; do you see any necessity or not for that bye-law, that "The persons managing the tramways shall, once in every week, send to the office of the police, local or road authority, in whose district the tramway is situate, or to the office of such one of them, if more than one, as the Board of Trade may direct, a copy of the record of the speed of every engine used on the tramways shown by the indicator for the last preceding week"?—With reference to that, if a perfect recorder or indicator were invented and in use, that would not distract in any way the engineer from his duties by keeping him looking at it; there would be no objection to it.

Mr. *Pemberton.*

1300. Do you mean on account of the expense?—I do not think that the expense would be very great.

Chairman.

1301. What would be the utility of it?—I do not admit the utility, but I said I did not see any objection.

Mr. *Pemberton.*

1302. We want you to put yourself in the position of a company; you are now answering as a member of a company, and we want to know whether there would be any objection to it; both on account of the inconvenience or impossibility of the thing, and the expense?—Yes.

Chairman.

1303. If you thought that it was not useful, it would be a very desirable thing to get rid of it in the interests of any company, would it not?—If it is of any utility, I do not see that it would be a very serious matter for companies to do it, providing that they have a perfect apparatus which would record it for them; but if it requires the constant attention of the engine driver, and prevents his looking in front of him, where he should constantly have his eyes directed, I think it would be objectionable.

1304. The fourth bye-law it is unnecessary to dwell upon; in the event of a horse being frightened, ought it not to be the duty of the engineer to pull up?—Yes.

1305. And that a printed copy of the bye-laws should be put up in a conspicuous position in each carriage, that we need not discuss. But there was a question raised by one of the witnesses, I think by General Hutchinson, as to the necessity for imposing some restrictions on the pressure of steam on the engine; what do you say as to that?—The pressure of steam is a question of much detail, and so involves the kind of engine used, and the kind of boiler used, that it seems to me that each different system of tram-

Mr. *Parrish.*

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Chairman—continued.

way engine that might be invented might involve a different pressure; there have been modes of construction used where the pressure amounted to 2,000 lbs. to the inch; where the boilers were of solid cast-steel; the ordinary locomotive boiler, I presume, has a pressure of 150 to 200 lbs., and the difference between the two is so great that it seems to me that a hard-and-fast line could hardly be established, but it would be a very wise provision that the Board of Trade or some authority should have the right of inspecting all boilers to see that they are safe.

1306. In connection with the subject of steam, do you think that there ought to be any restriction of this kind; that in the event of the engine exceeding a certain speed, on reaching a certain speed, the steam should cut itself off by automatic action, so as to secure that there should be no run-away engines going about the street, to put it in the most offensive way?—If it could be done in a simple manner, without involving complicated machinery, liable to get out of order, it would be useful; but as a general rule, those things are generally better done by the engine driver having his hand upon the throttle valve or the lever, rather than by mechanical contrivances. The mechanical contrivances may get out of order, and the engineer feels the responsibility taken off his shoulders.

1307. You think that that condition might be worse than the preceding one?—Yes.

1308. There is one other question which occurs to me, and that is as to the entrance and exit of passengers; would you insist upon that being in any particular portion of the carriage, or in the rear between the rails?—No, I think the entrance to and exit from the carriages is much better always at the rear of the carriage, not as in the case of an omnibus, but on the side, as in the case of an ordinary tramway car in use; it enables the passengers to get on and off with more safety.

1309. You mean not to get out in the rear, but sideways?—In the same way as an ordinary tramway car, such as is in use on the other side of Westminster Bridge, the platform occupying the whole width of the carriage in the rear, and having on either side steps entirely outside the rails. In the first place it gives two exits instead of one; a person in getting off the carriage can follow the direction of the carriage, and in getting on can do the same; it causes less delay, and is better in every particular.

1310. The reason for insisting upon its being between the rails would be in order to obviate the danger to the passenger in getting out of being run into by a car on the other side?—I am in favour of their getting out, outside the rails entirely.

1311. The reason for insisting, as some people do, on getting out between the rails and in the rear, would be to prevent the outgoing or incoming passenger being knocked down by a car on the next line?—That is so.

1312. Or by any passing carriage?—I think that the platform could be closed up on the side next the outer line by a gate in some way, so that passengers would get out only on the side next the nearest kerb.

Mr. *Holms.*

1313. What is the objection to their getting out between the rails, where they would be perfectly safe?—The objection is that the passenger has to wait until the vehicle has passed him, and then take a step or two, and get to the centre of the line, and follow it up, to get in.

Mr. *Holms*—continued.

1314. Would not the same remark apply if you could only get out on one side at the rear?—No, the practical working of the tramway is this, that many passengers, perhaps three-fourths or even more of the men, do not stop the car to get on; they get on or off when it is in slow motion, and it can be accomplished much better by a platform, and the entrance at the side, than it can be at the rear. I have never known a case of accident from passengers being run over by cars coming in the opposite direction, though it might be a wise provision to close up one side of the platform.

Admiral *Egerton.*

1315. You would hardly have that ordered by Act of Parliament; you would not have it so strictly determined as that, would you?—I think that it would be unnecessary. In Paris the tramway cars are worked in that way; one side of the platform is closed up.

Chairman.

1316. I see by this Paper that you have given me that you wish to say something on the rating question?—I can hardly say that I wish to say anything upon it, but it was suggested to me by the questions that have been put; it seems to me that tramway companies are very heavily rated at present; so much so that some of them are unable to pay any dividend; and if general laws were established as to rating tramways, it might be that many tramway companies would be utterly bankrupt.

1317. You think that it would be an invidious thing, in the first starting of the tramways, to indicate the taxation to which they should hereafter be liable; but you would not free them for all time from any principle of taxation which might be applied to other locomotives, would you?—No; but if such a thing were possible, I think there should be some distinction made as to locality; that is to say, whether it is a metropolitan line running through the heart of London, or whether it is a straggling suburban line, or whether it is running in a small provincial town, or connecting two provincial towns, partly suburban. Many of the lines would have a hard struggle to pay.

Mr. *Holms.*

1318. How long is it since you were in Philadelphia?—I was there last summer.

1319. Is it not the case that steam has been applied there for hauling tramway cars, for about 10 or a dozen years?—In the suburbs of the city there is one line where steam has been used, but only taking horse-cars from the terminus of their horse-car line, and carrying them out to a suburban village several miles distant, by steam.

1320. Have you seen the tramway line running from Philadelphia to the Exhibition Buildings?—Yes, I have seen all the lines.

1321. Do the cars of that line run through the principal streets, or such streets as Market-street?—Yes, Market-street is one line which I refer to where steam is in use.

1322. Is it not the case that 12 or 13 engines are in work there, pulling passenger cars?—I would

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Mr. *Holms*—continued.

would not like to state the number; my impression is that there were seven or eight engines at work at one time. I do not know of more; there were six engines by one maker, and one or two by another; there might be more, but I am not certain as to the number; they were only working experimentally.

1323. You have seen those at work?—Yes.

1324. Have you observed that they are of composite construction; that is the boiler and engine are upon the same platform as the passengers?—Yes.

1325. Can you tell me whether those steam tramway cars have been running in a satisfactory manner to the public, or not?—I think that to the public they have been satisfactory; I do not know from any personal knowledge, but I have heard that they have been discontinued on the Market-street line.

1326. Since when?—Within a few weeks; possibly within two or three months.

1327. Are you aware what is the steepest gradient upon that road?—No, not actually; but I should judge from observation that the steepest gradient was the approach to Market-street bridge. I should think it would be one in 25; possibly one in 20 for a short distance.

1328. You were asked a question whether or not the use of the indicator would be that it would act in the way of shutting off steam, so as to stop the speed of a carriage; would not there be a danger in having an automatic brake of that kind, inasmuch as it might be occasionally necessary to put on a spurt to get the tramway car out of the way of any other carriage that might be coming down a side street, we will say?—I think so, in the same way as you might want to drive a horse faster to get out of danger.

1329. Do you think that it might be a disadvantage sometimes to have an automatic brake?—Yes.

Mr. *Maurice Brooks.*

1330. Can you give us the names of the places where the local authorities have rendered tramway schemes abortive; you said there were three or four?—Yes, I think I said that out of four of my own Bills this year, three had been withdrawn, one of which has since been reinstated by the local authorities giving way; the two that were withdrawn absolutely were Bradford, where the local authorities have twice prevented tramway schemes going on, and the other is Derby.

1331. Then there are but two now?—There are only two in my own personal experience of this Session; there may be others that I do not know of; there are others I know that have been obtained with such clauses in their Acts that capitalists would not put money into the enterprise; Bradford was one of them, and Preston another, where the corporation insisted upon such clauses that it was impossible to raise the capital to build the lines, and, consequently, the Acts of Parliament have lapsed.

1332. Can you tell us shortly the particulars of the demands made by the local authorities?—They are very various; some require that they shall have an absolute power to order the tramways to be taken up at their own discretion at any time.

1333. Without compensation?—Without compensation, and without even proof of nuisance,

Mr. *Maurice Brooks*—continued.

and that is a point upon which one or two have fallen through.

1334. Was it Bradford or Derby that made such a demand?—Bradford; Bradford made such a demand in the Act passed in 1872.

1335. And it was an abortive scheme?—It was an abortive scheme. Another scheme was promoted this year, in which they told me they would insist upon that clause; I said, if that is the case I will withdraw the Bill.

1336. Would the Board of Trade have sanctioned such a requirement on the part of the local authority?—I should think not, and for that reason I think that it would be important that there should be an ultimate appeal to the Board of Trade.

1337. Is there not such an appeal to the Board of Trade from the local authority?—Where Bills are promoted by Provisional Orders, and where there are no exceptional conditions put in, there would be an appeal.

1338. Why did you not appeal to the Board of Trade in that instance?—I was applying for an Act, not a Provisional Order.

1339. The unfortunate condition to which you were reduced by the action of the Bradford local authority might have been remedied if you had applied for a Provisional Order, might it not?—No, because the first step towards obtaining a Provisional Order or a Bill is to get the consent of the local authorities; and before they give that consent, they bargain for it; they only give it after receiving a *quid pro quo* of some kind or other; and usually the conditions they require are onerous.

1340. I will confine myself to Bradford; Bradford we have now before us; in the case of Bradford, if you had appealed to the Board of Trade, would not you have had your remedy if you had applied for a Provisional Order?—The appeal to the Board of Trade can only come, according to the Tramway Act, after the Provisional Order or the Act is obtained; there is no chance of an appeal to the Board of Trade previous to the consent of the corporation being obtained; and the consent of the corporation is necessary to make an application to the Board of Trade for a Provisional Order.

1341. You say that some companies pay no dividend; can you give us the name of any tramway company in the three kingdoms that does not pay a dividend?—Birkenhead has not paid a dividend for many years, I believe, excepting one dividend about a year ago on preference shares, but no dividend on ordinary capital.

1342. Can you name any others?—There are others, but I am not prepared to say what they are. I was thinking of Bristol; but I think Bristol has paid a very small dividend; Belfast has paid but a small dividend.

1343. Bristol paid, according to this return, 3 per cent.?—I believe that is so.

Mr. *Holms.*

1344. You said that the locomotive cars were taken off at Philadelphia some weeks ago; I understand that they are only taken off in Market-street?—Only in Market-street.

1345. That is to say, they are allowed to run to Market-street, but not through Market-street?—I think that they have been taken off by the Market-street Company, not on account of any inconvenience or nuisance to the public,

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Mr. *Holms*—continued.

but for economic purposes. The lines in Market-street are not so substantially constructed as they are in this country; the weight of the engines was found to do more injury to the line than the economy was worth.

1346. Do I understand that upon the line which extends all the way from Philadelphia to the Exhibition buildings, locomotive engines still run, except through Market-street; or are they taken off altogether?—I think they are taken off altogether; my evidence as to this is only from information received by letter; but my information is that the company has discontinued the use of steam upon their lines altogether.

1346*. For economic reasons?—Yes, they found that it was injuring their road; their road not being built for the purpose of steam engines.

1347. Was it because they were compelled to do it by the road trustees, or was it of their own motion?—I do not know from my own personal knowledge, but I think it was their own act.

1348. On account of the state of the roads?—On account of the effect upon the rails; they found that they were not adapted for steam, and that they were injuring their lines by running steam. I can explain by the drawing why they are not on that particular line adapted for steam.

1349. On that particular line where they have been running for 12 or 14 years?—The line has been running nearly 20 years; it has been running for more than 20 years.

1350. Do you know how it was that they did not come to the same conclusion earlier in their history than now?—They only ran steam engines upon the line for less than a year.

1351. I understand that they have run for 10 or 12 years in Philadelphia?—Not upon that line with steam.

1352. On which line have they run for the longer period?—There are probably 20 different companies in Philadelphia, and the only companies that I am aware of that ran steam power at all were two or possibly three; one of those, which was called the Richmond and Frankfort line, ran from the outside edge of the city to villages some miles distant; they have been running for a number of years.

1353. Are they still running?—I do not know; I did not see them running last summer, but I have no doubt that they are running; the Market-street line tried experimentally for a few months to run engines on their main trunk line through the heart of the city; it is that line that I now speak of, upon which I hear it has been discontinued.

Mr. *Pemberton.*

1354. Can you give the Committee any decided opinion of your own as to the expediency of having the engine detached from the car which carries the passengers?—My opinion is that the engine is better detached.

1355. Do you think that it must be much safer, to begin with?—I think it is safer and more manageable in every respect.

1356. And would not it work more easily round curves, if the engine and the carrying car were separate?—On curves it certainly would do so.

1357. Then as to the break that you mentioned as having been used in America, do you find that it tears the rails at all?—Not at all; it is a soft cast-iron break, or it may be wrought iron.

Mr. *Pemberton*—continued.

1358. Is it found to be much more efficacious than a break acting upon the wheel itself?—Far more; in fact, the carriage could not be stopped at all down such a gradient as that is. I believe it to be one in six, which is far steeper than any one in Edinburgh. You might block the wheels, but the wheels would skid down such a gradient.

1359. And this effectually holds the carriage on the rail?—Yes.

1360. And it could be applied, you say, to any tramway vehicle, whether it was drawn by a stationary engine and ropes, or by locomotives?—Yes, it is quite independent of the motive power.

1361. Have you considered at all the expenses of the tramway with regard to the portion to be paid by the tramway and road authorities; do you think that any rule could be made that the tramway using the road should pay a certain proportion of the expenses of maintaining the road?—Do you mean a greater proportion than they pay at present?

1362. No, a certain proportion; not actually confined to the repair of that part of the road which they use, but generally?—My feeling is, that tramways contribute directly towards the maintenance of far the greater portion of the road at present, and the portion of the road which is most liable to be worn, namely, the centre.

1363. As to streets of limited width, you say that you consider that there is no greater objection to the use of steam power than there is at present to the use of horse power; do you consider that in narrow streets if at present a tramway could be worked by horse power, it could in almost any case be worked in the same width of street by mechanical power?—Always, subject to the condition that the engine itself is not objectionable.

1364. That is rather the thing we want to get at; do you see any difficulty in constructing engines of such a description that there would be no more nuisance and difficulty in using them, than in using horse power. It is proposed at present to limit the use of steam tramways according to the width of the streets, and to prohibit them absolutely in some streets that are not of a certain width; do you see any difficulty in constructing an engine which would work these cars with as much facility as horses work them at present?—No; I see no reason why, if an engine will work without objection in a wide street, it should not work in a narrow street.

1365. Do you think there is any difficulty in constructing an engine which will work as readily in a narrow street, as horses do now work in the same street?—No, I do not think there is any difficulty.

Mr. *Holms.*

1366. Is it not the case that where you have the engine and the passenger-carriage detached from each other, the oscillation is very much greater than where you have the engine and carriage combined?—I think there is less oscillation.

1367. Have you travelled in one of the composite carriages?—Yes, frequently. I have travelled in the others as well. With the composite carriage you can almost feel every stroke of the piston. It is a slight motion, but you can feel a little tremor; with a detached engine, you feel none of that in the carriage at all.

1368. And

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1368. And a composite carriage, I suppose, must be much heavier, and the constant use of the composite carriage must wear the rails much more than the use of the engine with the car separate?—That is questionable. I am not prepared to say whether it is, or not; in one case of course it is the heavier carriage going upon two pair of wheels, and in the other case it is four pair of wheels carrying a still greater weight.

Mr. *Holms.*

1369. Have you seen any carriage and engine in this country which is anything at all like the weighty carriage you saw in Philadelphia?—I have never seen one of the composite carriages in this country.

Mr. *Holms*—continued.

1370. I speak of those used in Philadelphia; are not the composite carriages used in Philadelphia much lighter than the composite carriage and the locomotive joined together would be here?—Yes, I think they would be much lighter than two carriages.

Chairman.

1371. Have you any experience of foreign steam tramways?—None, except seeing them in operation.

1372. Have you ever seen the Cassel tramways?—No, but I have seen those in Paris.

Mr. JOHN LAWTON HADDAN, called in; and Examined.

Mr. *Haddan.*

Chairman.

1373. YOU are a Civil Engineer, are you not?—I am a Member of the Institute of Civil Engineers.

1374. And have you an acquaintance with the construction of tramways?—Yes, but principally with the working of steam tramways.

1375. In this country?—No; I was traffic manager for 12 months of the Paris tramways.

1376. During the whole of that time, were they running under steam?—Yes; we began with five engines, and left off with 30 engines.

1377. And in that time, I believe, no hitch occurred with the municipal authorities at Paris?—No; I must say they behaved remarkably well for a municipality. They assisted us in every way.

1378. Do you think that remarkable?—Yes, from my experience in this country.

1379. Can you speak to the regulations under which those steam tramways are running in Paris?—The regulations with regard to steam are entirely in abeyance, and tentative ones. The chief engineer would see me, or any one connected with the line, and would suggest that we should try different experiments, and that is all that has been done at present.

1380. What concession have they got?—No concession; it is tentative from month to month; withdrawable at the will of the Prefet of police. This remark only applies to steam traction.

1381. But there are certain bye-laws, I suppose, which it is necessary to observe in the meantime, in the conduct of the traffic?—No; some bye-laws have been applied, which were made for horses; but we have an inspector, whose suggestions are bye-laws, in fact.

1382. A State inspector?—Yes, a State inspector.

1383. Has he ever made any objection as to the width of the streets through which the tramways run?—No; because our tramway ran through a very wide street; there was one case which bears upon the question you ask, where, though the street was wide, an omnibus road crossed the steam tram lines, and the outlet of the street was hidden by trees; the consequence was, that once, an omnibus came across the tramway and was knocked clean over. Since then we have made a stopping place on the near side of that cross street, so that on no account can our steam trams go at any speed across its mouth. Instead of, as it were, selecting stopping places without any apparent reason for doing so, we always take them before the crossing of the street, so that the speed at cross roads must necessarily be very slow.

Chairman—continued.

1384. But if a tramway goes along the main thoroughfare, the number of intercepting streets must be very large?—Their number may be large, but their cross traffic importance may be small; for instance, some have much greater traffic than others, and it is only those we should attend to.

1385. Still it would be necessary to reduce the speed on coming to each intersection, would it not?—No, I think that the best way is, instead of stopping for everybody at all sorts of places, which interferes with a rapid journey, to have obligatory stoppages at the corners of streets, and thus you make the trams slacken speed at dangerous places without apparently enforcing any regulations.

1386. You would make it a place for taking up or putting down people?—Yes.

1387. Would you make it obligatory?—I would make it obligatory for steam, and it would be a great public benefit also, for on the present system the through passengers have to suffer because of the local ones, who, if they knew where the stopping place was, would walk to it; whereas they positively walk backwards sometimes when waiting for a tram.

1388. As a matter of practical working, the tramway would not require, for the sake of the passengers, to stop at such intervals as the intersection of the different streets?—Not of every street, but the most important streets, although even in the former case the stoppages would not be so frequent as at present. Another point is that it is highly prejudicial to the engines to stop for every passenger; and if it is continued, the wear and tear will be so great that I am quite within the mark when I say that engines will not be able to be used at all on steam tramways if they are required to stop to pick up passengers *ad libitum*. The expense may be imagined, when I tell you on the authority of the locomotive superintendent of the Metropolitan District Railway, Mr. Spec, that for every stoppage of a train on that line, the consumption of coal due to that stoppage is equal to a run of five-eighths of a mile, the stoppages occurring every half mile; while on Mr. Harding's lines the coal consumption was more than doubled by this absurd attempt to

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Chairman—continued.

to copy horse traction, when steam, a totally opposite element, was used. To abolish all necessity for running at high speeds it is incumbent on the Administration to abolish all the present endless sources of delay.

1389. Are the tramways that you speak of exclusively used for steam cars, or do horse tramways run upon them at the same time?—Our company worked the Tramway Sud with steam, but part of the tramway that we ran over by steam was open to the horse road of the same company; the regulation was that steam had the precedence always, as a matter of course.

1390. At the present moment are the steam cars and horse cars working on the same tramway?—They work into the same terminus, which is the worst and most dangerous part.

1391. And do they traverse the same line?—Yes, for a distance of about 300 yards.

1392. I understand in Berlin that it is so?—I cannot say anything about Berlin, but during the whole 12 months that I was in Paris it was continually done.

1393. Has the inspector of whom you spoke insisted upon any mechanical appliances for the engine?—Yes, he insisted upon safety chains being used between the engine and the car, because the coupling which we were in the habit of using used to break very frequently, consequent upon the cars not being properly prepared for steam traction; safety chains were therefore put with the view that when the coupling did break, you should not see the engine run down the street, and the car running after it; it answered perfectly.

1394. As to brake power, what do you say?—With respect to brake power, I think it obligatory to make very stringent rules, because the weight of the tram car loaded is greater than the weight of the engine; from experience, I can tell you that putting the brake on the engine did not in bad weather stop the train as rapidly as could be desired, as the whole train skidded; I would suggest that where two carriages are used, the continuous brake should be obligatory, no matter what the incline.

1395. That is to say, that there should be a brake on every carriage as well as on the engine?—Yes.

1396. And worked from the engine?—Yes, the conductor having quite enough to do to look after the passengers; and on all gradients above 1 in 20, I would have a continuous brake, even if one carriage were used.

1397. What regulations are in force with regard to the expense to be borne by a steam tramway company in repairing the roads which they disturb?—The whole of the repairs are borne by the municipality; the first cost is borne by the tramway company.

1398. Do the municipality regard wear and tear by the Steam Tramway Company as very small?—My remark does not apply to the rail.

1399. I speak as to the roads?—The wear and tear must be from horses and carts; it cannot be from the steam tram.

1400. The rails sink sometimes, do they not?—Lifting the pavement is done by the municipality, and lifting the rail is done by the tramway company.

1401. Is there any prospect of the steam tramways of Paris being extended into very narrow streets?—It is entirely left to the police to

Chairman—continued.

decide whether the streets are fit for steam traffic or not.

1402. Therefore the question does not arise there, as it arises here, as to the width of the streets?—No, I think the width of a street is a matter of secondary consideration; it depends upon the way you treat the traffic in the street. For instance, if you do not allow stoppages in a narrow street, you may crawl through it at three miles an hour, and yet not spoil the average speed at which you perform the entire journey.

1403. Is there any restriction as to speed?—Yes, 12 kilometres an hour; we sometimes travelled at 15, to maintain 6 kilometres average, in consequence of the numerous stoppages; therefore if you diminish the stoppages you increase the through speed, as a matter of course, without, however, being obliged to resort to dangerous accelerations, so as to maintain even the very modest through rate of 4½ miles an hour.

1404. But you have insisted, have you not, upon an increase of stoppages?—Not an increase, but instead of taking people up anywhere they choose to ask, we should stop at certain places only. To begin with, until the public are used to the change, we might stop anywhere to set down.

1405. As a matter of fact, would not tramways run a greater distance than the points of intersection?—No.

1406. The inconvenience to the public to walk to the point of intersection, is very slight, I suppose?—Very slight, because the interval at which trams go, is, say, six minutes, and the distance between each waiting place would certainly not be more than three minutes' walk either way, up or down. Another question which causes delay is the slackening of speed when coming to a meeting point; I would insist upon the road being set out to abolish them; a very easy matter.

1407. So much for the Paris tramway. To turn from Paris to this country, what has been your experience of steam tramways here?—My experience has not been in this country.

1408. I thought you found the municipality of Paris so much more liberal?—Not with respect to this question. I speak of municipalities generally.

1409. Have you had any experience of steam tramways in England?—None whatever.

1410. Have you seen these regulations of the Board of Trade?—No, I had not seen them before; but Mr. Holms made a very valuable remark about the question of the indicator.

1411. Did you hear Mr. Parish's evidence?—Yes.

1412. Have you anything to say upon his remarks, or any comment to make?—What I wish to say comes under his remarks, because Mr. Holms put forward a point which is a most important one, that if you have an automatic means of checking the steam, or putting on the brake, you might stop the engine at the very moment when by putting on a spurt you might avoid a collision. Now that objection can be met by insisting on every engine having the brake always on, and requiring a pressure of about a pound, applied by the foot, to keep it off. Therefore when there is no man on the engine, the brake is always on, and the engine cannot run away. The steam or regulator handle may likewise be made

to

Chairman—continued.

to spring always "shut," so that a certain amount of constantly applied extraneous force would be always requisite to maintain motion.

1413. In the interest of the public safety, should you think it necessary to make any restriction as to the pressure per square inch of steam?—Not in the boiler itself, but certainly in the gauge glasses. In Paris there was an engine which came from Geneva, which worked at 17 atmospheres, while ours never worked at higher than eight; the gauge glasses of the 17-atmosphere engine broke four or five in a day, and the pieces cut one of the inspectors, and the escaping steam and water alarmed the passengers.

1414. Would you think it necessary to impose any restriction as to atmosphere or steam pressure?—No, if on the gauge glass breaking, their valves could be made to close automatically, it would be a good thing. I have seen drawings showing the way in which this may be done.

1415. Speaking generally, would you insist upon periodical inspection by the Government?—Certainly; and monthly reports of all repairs should be sent in to the Board of Trade, giving the numeral of the engine and all particulars, as we did in Paris.

Mr. *Pemberton.*

1416. Is there inspection of that description upon railways?—I believe so.

Admiral *Egerton.*

1417. You would not, I understand you, limit the pressure upon the boiler by law?—No.

Chairman.

1418. From what you have heard of the evidence, should you agree to the necessity of having an indicator and a recorder?—An indicator and a recorder do not necessarily go together; an indicator I would certainly have.

1419. What have you to say as to an indicator?—Some evidence has been given to the effect that the speed indicator would give extra work for a driver to do; from my experience I am perfectly certain that after running a month he would never require to look at the speed indicator at all, for practice would tell him perfectly the speed he was going at, but its existence would deprive him of the excuse of ignorance of the speed he was running.

1420. So that that objection against the speed indicator will not hold water?—No.

1421. But coming to positive assertion, would you insist upon it?—Yes, I would insist upon a speed indicator; as to the recorder, I tried my hand at one for a month; the difficulty of the recorder is, that it is really drawing to scale a diagram of what is taking place; unfortunately, unless you have a dial something like two feet diameter, you cannot measure the scale with any degree of accuracy; to reduce the size of the dial, you have only to commence the recording at a point, say seven miles an hour, instead of at zero, because you only require to indicate dangerous speed, and not low speed; therefore if you were merely to order that the recorder should be required to commence working at six miles an hour and work up to ten, then, I think, a recorder can become practical, but not without.

Chairman—continued.

1422. You would make it commence its record at the maximum speed?—Yes; and then it is a man's own fault if he ever sets the recorder to work at all. I may mention a suggestion that was made to me by Colonel Beaumont, R.E., M.P., that if we show, automatically, something outside the engine, when the speed has been exceeded, the police, the manager, and everybody will know that the driver has exceeded his speed, and the driver could not escape detection and fine. This signal may be a red disc projecting from the engine, and which can only be put back by means of a lock and key. This would be much better than controlling the putting on the brake, and so on, which, as Mr. Holms very correctly pointed out, might cause the accident which it was intended to avoid.

1423. In fact, you mean the engine should carry its own conviction with it?—Yes. But what is really wanted to insure perfection of street traffic, is a parallel appointment to that of Harbour Master on the Thames.

Mr. *Holms.*

1424. Has such a thing been invented?—No, but it is self-evident that it can be done; you release a catch and out springs the arm, or disc, and it cannot go back again. The carriage alarm signals on some railways act thus.

1425. Has any practical recorder been invented yet?—No, owing to the difficulty of the scale.

Mr. *Pemberton.*

1426. I should like to ask you one question as to whether the engine should be separated from the car or not; what is your opinion as to that matter?—I do not think it necessary to legislate upon the subject, because my experience of the management is such that no one in his senses who understands anything about it will use a combined car, for this reason, that the driver can only work ten hours, while the cars run 17 hours daily; you cannot change the driver on a steam car, because if anything happened to the machinery you could not then find out who was in fault; therefore if you use a combined car, you would want 30 or 40 per cent. more rolling stock than if you used a detached engine, and that is why we on the Paris tramways have used a detached engine with its personal staff of driver, stoker, and cleaners, in preference to a combined car, which would require a double staff, or reliefs, which we found utterly impracticable.

Mr. *Holms.*

1427. Have you seen a combined car?—We had the Grantham one in Paris, and we tried another one, Mr. Dalifolls'.

1428. Is that an English one?—No, it is a French one.

Mr. *Pemberton.*

1429. Have you heard of the brake presented by Mr. Parrish?—Yes, that has been in use on the Ghâts on the Great Indian Peninsula Railway.

1430. Do you approve of it; do you think it has great advantages over an ordinary brake?—Yes.

1431. But would you insist upon Parliament requiring any particular brake?—No.

Mr. *Haddan.*

13 May 1878.

Mr. *Holms.*

1432. Where you have a combined engine and a passenger carriage, cannot you have another passenger carriage attached behind to be drawn by the combined car?—You ask a question which hits exactly the blot, which I, as an engineer, am trying to meet; I am trying to make a compound engine and carriages combined, so far as the mechanical effort is concerned, which moves them, but not structurally so; that is to say, apply motive power to each car, but have the boiler detached, you can then get the same advantages as with a combined car without its disadvantages.

1433. Would you propose to legislate as to that?—No, I believe compound cars will die a natural death.

1434. Are you aware that in Philadelphia they do use a combined carriage in the way I have stated, and that they haul a second ordinary tramway carriage behind?—I am not aware of the fact, but I can quite understand it, because the weak point of all engines is that irrespective of their steam power they require weight to pull with, and if you put people on the top of the engine, it is just as good for traction purposes as any other weight, and that is what the combined car does.

1435. They can draw one platform of their own and another car behind?—Yes, if they had steam enough.

Mr. *Pemberton.*

1436. Would not it be safer for the public for the engines to be separated from the car?—Certainly.

1437. And would it also be an advantage in the lines on which there were considerable curves?—No; you cannot beat the double bogie where there are curves. I think the combined car will have the best of it until tram engines are made with double bogies also, like the combined cars.

Mr. *Holms.*

1438. Is it not the case that in the combined car you have far less oscillation than when you have a separate locomotive car?—A system which works on a central pivot or pin, as the bogie does, must necessarily work steadier than any system which supports itself on two rails, one of which can never be on the same level as the other, or in precisely the same condition.

Sir *Graham Montgomery.*

1439. How would you manage about turning the combined engines and car; you would require to have turn-tables, would you not?—No, you can turn at what are called triangular reversing stations.

Mr. *Pemberton.*

1440. Which wears the rail out most, a combined car or an engine separate?—I should say the engine separate, as the wheel base is usually longer.

Chairman.

1441. And there need be no addition in the length of the car, I suppose?—I do not think length is of any importance.

1442. I am speaking as to the question just raised by the honourable Member as to turn-tables?—No, none whatever.

Mr. *Holms.*

1443. Is it not the case that a combined carriage is very much shorter than a separate locomotive and passenger car?—There are so many makers; Rowan, of Copenhagen, has made one longer than anybody else, and it is a question that may be answered any way you like.

1444. Is it not the case that the combined car is as a rule very much lighter than a separate engine, and a separate passenger car?—No; the dead weight is heavier on the combined car.

1445. Is not the total weight of a combined car less than a separate locomotive and a separate passenger carriage taken together?—When we talk of dead weight, we mean the total weight without the passengers in it.

1446. Do not you think that a composite carriage is in itself lighter than a locomotive and a passenger car, separate from each other?—It all depends upon whether you make the comparison on an incline, or on the level.

1447. Take it on the level?—On the level, a detached engine and a carriage together would be of less weight; but a light engine which would work on a level would not pull anything on a steep incline at all; hence you cannot make a comparison.

Admiral *Egerton.*

1448. Do I understand that you are working out a separate boiler to be carried on wheels, separate from the cars?—Precisely.

1449. You have not arrived at any conclusion upon it, have you?—I have applied it to a system which, I believe, in a very few days, will be public.

1450. It will be a third system for us to consider, probably?—The system adopted is one of applying motive power to all the wheels of the train, on the principle that the antithesis of continuous braking is continuous driving. If you advocate continuous braking, go further and obtain the lightest and most powerful of climbing trains by the reversing of the action, which is simply continuous driving.

1451. As to stopping; would you propose that stopping to take up passengers should be made unlawful, as it is in a common railway train?—Yes, precisely; nothing interrupts the traffic more than doing so. It is bad for the public, and certainly ruinous for the engines.

Mr. *Pemberton.*

1452. In Paris, you were not allowed, I presume, to run engines with tender first?—They ran with either one end first or the other; they are both alike; you would not know which was the tender end.

Mr. *Denis O'Conor.*

1453. Have you more than one car attached at the end?—Only for experiments.

1454. Not as a general rule?—No.

Mr. *Maurice Brooks.*

1455. Do you issue tickets to your passengers on the steam lines in Paris?—The omnibus and tram system in Paris is a very complicated one. They have what is called a correspondence ticket.

Mr. *Maurice Brooks*—continued.

ticket. You may get into any carriage, and pay your 3 *d.* fare, and the ticket enables you to go on any other line. That is a general rule, obligatory on any company. Tickets are not used except for this purpose.

1456. And are those tickets interchangeable with other companies?—Yes, with any company. It is obligatory by the police.

1457. Then every passenger has a claim to a ticket?—Every passenger has a claim to a ticket, although he does not use his right unless he intends travelling over another "corresponding" line.

Mr. *Maurice Brooks*—continued.

1458. It is unnecessary to ask you if for the purposes of tolls and fares, various tramways in Paris are continuous; that is, if you travel a mile upon the property of one company, you can travel another mile upon the other, which reckons two miles?—The omnibus and tram lines are divided into lengths averaging about four miles each, and you can always travel on any two such lines for a single fare, no matter what the length or what the company.

1459. It is not necessary that the ticket should set out the distance?—No, the ticket does not enter into the question at all.

Mr. *Haddan.*

13 May 1878.

APPENDIX.

PAPERS handed in by Mr. *T. H. Farrer*, 18 March 1878.

Major General *Hutchinson* to Board of Trade.

Appendix.

(R. 1521.)

Railway Department, Board of Trade, 13, Downing-street,
9 February 1878.

Sir,

I HAVE the honour to report, for the information of the Board of Trade, that, in compliance with the instructions contained in your Minute of the 16th ultimo, I have inquired into the working of the steam engine which was sanctioned by the Board of Trade to be used upon a portion of the Vale of Clyde Tramways.

This steam engine, in conjunction with seven others of similar construction, is now running upon these tramways, of which I carefully observed the working on the 7th instant; I have also communicated on the subject with the police authorities of Govan.

I find that the cars traverse the distance of 1½ miles between the two termini of the portion of the tramways now worked by steam in an average time of 10½ minutes, including from five to six stops, deducting a minute for these stops, gives 9½ minutes for the 1½ miles, or an average speed of 9½ miles an hour, 1½ miles in excess of that laid down in the bye-laws.

The self-acting mechanical appliance, for controlling the speed and applying the breaks, appeared to be acting satisfactorily, and I in no case observed the speed to exceed 10 miles an hour.

Speed indicators have been attached to each engine and give fair results, but speed recorders which were used in the first instance have been removed, as it is stated their records were uncertain and unreliable. From the information, however, that I received it seems to me that these recorders were not sufficiently tried, and that their inventor was not afforded means for endeavouring to rectify their alleged inaccuracies. In some cases the face of the speed indicator is not visible from both ends of the steam car.

The special bell was so much objected to by the inhabitants and users of the road along which the tramway runs, that its use has been more or less given up, the ordinary tramway whistle being now used instead. Upon this point the bye-laws might perhaps be modfied, as the whistle seems to answer the required purpose.

It appeared to me that there was considerably more noise from the clatter of machinery than when I last inspected the engine; the emission of steam, smoke, and hot air in a way to annoy the passengers was very slight when the engines were travelling, but in one or two instances, when standing at the termini, a small amount of steam issued from the funnel.

The practice has been adopted of leaving open the centre of the end of the steam car, so that the fire-door, lower part of the boiler, &c., are visible. This should be altered, and the front end always closed when the engine is running, in conformity with the bye-law.

I enclose a record of accidents with which the superintendent of the Govan police has been good enough to supply me. From this it appears that there have been nine accidents, of which two have not yet been investigated. In three of the remaining seven cases the driver was convicted for careless and reckless driving, and in the other four the parties injured were themselves held blameable.

The superintendent of police informed me that a speed recorder would be most valuable for police purposes, as it was now impossible in case of accidents to arrive at all satisfactorily at the question of speed, the evidence upon this point being always most divergent.

Appendix.

The points, therefore, to which the attention of the Company should be drawn are, I submit, the following:—

1. The time for each journey should be increased to 12 minutes, in order that, making allowance for stops, the speed of eight miles an hour should not be exceeded.

2. The speed indicators should be visible to the driver whichever way the car is running.

3. A speed recorder should be provided with the least possible delay.

4. The prevention of the clatter of the machinery, and of the emission of steam when standing, should receive immediate attention.

5. The running end of the steam car should in all cases be completely closed.

In any future engines, it would be desirable that the self-acting controlling apparatus should not be directly connected with the steam handle.

I have, &c.
(signed) *C. S. Hutchinson*,
Major General, R.E.

The Secretary, Railway Department,
Board of Trade.

PROVISIONAL ORDERS.—18 March 1878.

TRAMWAYS.

	On which Steam Power is to be used.		Animal Power to be used.		Total Length.	Estimated Cost of Tramway.
	In Streets.	On Country and Suburban Roads.	In Streets.	On Country and Suburban Roads.		
	Miles.	*Miles.*	*Miles.*	*Miles.*	*Miles.*	£.
Aldershot and Farnborough	–	3	–	–	3	9,000
Bolton and Suburban (Corporation)	8	9	–	–	17	90,000
Cardiff Tramways (Extensions)	–	–	2	–	2	9,500
Glasgow and Ibrox	–	1½	–	–	1½	—
Gloucester	4	–	–	–	4	15,000
Liverpool Corporation	5½	–	–	–	5½	40,140
Manchester Corporation	–	–	25	–	25	130,000
Manchester Suburban	–	8	–	–	8	69,742
Moss Side Local Board	–	1½	–	–	1½	8,950
Newton Heath Local Board	–	1¾	–	–	1¾	22,287
Oldham Borough	–	–	2½	3½	6	30,000
Reading	2	1½	–	–	3½	18,000
Rusholme Local Board	–	–	1	–	1	3,628
Sunderland	3	1	–	–	4	28,000
Wavertree (Local Board)	½	½	–	–	1	16,175
West Derby Local Board	–	5	–	–	5	37,431
Wolverhampton Tramways (Extension)	1	–	–	–	1	5,000
Wrexham District	–	6	–	–	6	—
TOTAL	24	38¾	30½	3½	96¾	532,853
Promoted by Local Authorities, and included in above Length	14	17¾	28½	3½	63¾	378,611

VALE OF CLYDE TRAMWAYS.

(R. 5947.)

PURSUANT to the provisions of the Vale of Clyde Tramways Act, 1876, and by virtue and in exercise of the powers thereby in them vested, the Board of Trade do, by this their Order, authorise the Vale of Clyde Tramways Company to work and use the tramways Numbers 16 and 16A authorised by the Vale of Clyde Tramways Act, 1871, and therein more particularly described, by mechanical power, subject to the regulations, restrictions, requirements, conditions, and penalties prescribed by the bye-laws hereunto annexed.

Signed, by order of the Board of Trade, this first day of February one thousand eight hundred and seventy-seven,

Henry G. Calcraft,
An Assistant Secretary to the Board of Trade.

VALE OF CLYDE TRAMWAYS BYE-LAWS.

BYE-LAWS made by the Board of Trade under the authority of the Vale of Clyde Tramways Act, 1876.

PART I.

Exercise of powers.

1. THE Vale of Clyde Tramways Company (hereinafter referred to as "the Company") may exercise the powers conferred by the Vale of Clyde Tramways Act, 1876, with respect to the moving of carriages used on the tramways of the Company, numbered 16 and 16A, authorised by the Vale of Clyde Tramways Act, 1871, and therein more particularly described (hereinafter referred to as "the said Tramways"), by steam power, subject to the provisions in Section 3 of the Vale of Clyde Tramways Act, 1876, so long as the Company comply with the restrictions, requirements, and conditions contained in this part of the Vale of Clyde Tramways bye-laws, and in any other bye-laws which may be added thereto or substituted therefor by the Board of Trade under the authority of the Vale of Clyde Tramways Act, 1876, and in case the Company shall in the opinion of the Board of Trade, as shown by a certificate of the said Board, make default in complying with any of the same, they shall cease to exercise the said powers, and shall not again exercise the same unless with the authority of the Board of Trade.

As to steam engines.

2. Every steam engine used on the said tramways shall be fitted with a self-acting mechanical appliance, so placed as not to be subject to the control of the driver of such engine, and so constructed that at any time when the engine shall attain a speed of ten or more miles an hour it shall cause the steam to be shut off and the breaks to be applied.

Every such steam engine shall be fitted—

With an indicator by means of which the speed shall be shown and recorded;

With a suitable fender to push aside obstructions at each end of such engine; and

With a special bell to be sounded as a warning when necessary.

Every such steam engine shall be free from noise produced by blast or clatter of machinery, and shall not emit steam or smoke, and no fire in on or under it shall be visible; the machinery shall be concealed from view at all points above four inches from the level of the rails, and no hot air shall issue in a way to annoy passengers.

As to carriages.

3. The entrance to, exit from, and accommodation in, the carriages used on the said tramways for passengers shall be entirely separated from the fire, boiler, and machinery of any steam engine used for drawing or propelling such carriages.

PART II.

As to speed.

1. The speed at which the steam engines of the Company shall be driven or propelled along the said tramways shall not exceed the rate of eight miles an hour. The speed at which the steam engines of the Company shall pass through moveable facing points shall not exceed the rate of four miles an hour.

Use of special bell.

2. The special bell provided on every steam engine of the Company shall be sounded by the driver of such engine from time to time when it shall be necessary for giving warning of the approach of such steam engine.

Appendix.

Stoppage of engine in certain cases.

3. In the event of a horse being frightened, when near any steam engine of the Company, in motion on the said tramways, the driver of such steam engine shall immediately bring such steam engine to a stand.

Copy of bye-laws to be in each carriage.

4. There shall be placed, and kept placed in a conspicuous position, inside each carriage in use on the said tramways, a printed copy of the Vale of Clyde Tramways Bye-laws.

Penalties.

5. Any person offending against or committing a breach of any of the bye-laws contained in this part of the Vale of Clyde Tramways bye-laws shall be liable to a penalty not exceeding forty shillings.

Signed, by order of the Board of Trade, this first day of February one thousand eight hundred and seventy-seven,

Henry G. Calcraft,
An Assistant Secretary to the Board of Trade.

REPORT

FROM THE

SELECT COMMITTEE

ON

MERCHANT SEAMEN BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
31 *May* 1878.

Ordered,—[*Monday, 28th January* 1878]:—THAT the MERCHANT SEAMEN BILL be read a second time, and committed to a Select Committee.

Committee nominated,—[*Wednesday, 20th February* 1878], of—

Lord Eslington.	Mr. Rodwell.
Mr. Shaw Lefevre.	Mr. Burt.
Mr. Bentinck.	Mr. Corry.
Mr. Charles Wilson.	Mr. Ashley.
Mr. Torr.	Mr. Bates.
Mr. Plimsoll.	Mr. Gourley.
Mr. Gorst.	Sir Charles Adderley.
Mr. Thomas Brassey.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Ordered,—[*Thursday, 21st February* 1878]:—THAT the Petition of the Liverpool Shipowners Association, praying to be heard by their Counsel and Witnesses against the Merchant Seamen Bill, be referred to the Committee.

Ordered,—[*Friday, 22nd February* 1878]:—THAT the Committee do consist of Seventeen Members.

THAT Mr. Hamond and Mr. Macdonald be added to the Committee.

Ordered,—[*Thursday, 28th February* 1878]:—THAT the Committee do consist of Nineteen Members.

THAT Mr. Dalrymple and Mr. O'Shaughnessy be added to the Committee.

Ordered,—[*Monday, 25th March* 1878]:—THAT Lord Eslington be discharged from further attendance on the Committee.

THAT Sir George Elliot be added to the Committee.

Ordered,—[*Thursday, 4th April* 1878]:—THAT the Petition of the Amalgamated British Seamen's Protection Society, for consideration of their grievances, be referred to the Committee.

Ordered,—[*Monday, 6th May* 1878]:—THAT Mr. Edward Stanhope be added to the Committee.

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REPORT.

THE SELECT COMMITTEE to whom the MERCHANT SEAMEN BILL was referred have considered the said Bill, and taken Evidence thereon, which they have agreed to report to the House; and have gone through the Bill, and made Amendments thereunto.

31 *May* 1878.

PROCEEDINGS OF THE COMMITTEE.

Monday, 25th February 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Plimsoll.
Mr. Torr.	Mr. Gourley.
Mr. Corry.	Mr. Hamond.
Mr. Bentinck.	Mr. Burt.
Mr. Bates.	

Sir CHARLES ADDERLEY was called to the Chair.

The Committee deliberated.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 1st March 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Lord Eslington.	Mr. Bentinck.
Mr. Bates.	Mr. Burt.
Mr. Torr.	Mr. Hamond.
Mr. Ashley.	Mr. Gourley.
Mr. Macdonald.	Mr. Dalrymple.
Mr. Plimsoll.	Mr. Shaw Lefevre.
Mr. Gorst.	

Mr. *Courtenay Peregrine Ilbert* was examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 5th March 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bentinck.	Mr. Dalrymple.
Mr. Plimsoll.	Mr. Burt.
Mr. Gorst.	Mr. O'Shaughnessy.
Mr. Charles Wilson.	Lord Eslington.
Mr. Bates.	Mr. Thomas Brassey.
Mr. Gourley.	Mr. Shaw Lefevre.

Mr. *Colby Atkinson Davis* was examined.

The Committee deliberated.

Motion

Motion made, and Question put, That the evidence given by Mr. Davis be struck out —(Mr. *Bentinck*).—The Committee divided:

Ayes, 4.	Noes, 7.
Lord Eslington.	Mr. Shaw Lefevre.
Mr. Bentinck.	Mr. Charles Wilson.
Mr. Thomas Brassey.	Mr. Plimsoll.
Mr. Bates.	Mr. Gorst.
	Mr. Burt.
	Mr. Dalrymple.
	Mr. O'Shaughnessy.

Mr. *C. A. Davis* was further examined.

Mr. *Andrew Commins*, LL.D., was examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 8th March 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Lord Eslington.	Mr. Bentinck.
Mr. Bates.	Mr. O'Shaughnessy.
Mr. Charles Wilson.	Mr. Gourley.
Mr. Torr.	Mr. Ashley.
Mr. Rodwell.	Mr. Hamond.
Mr. Plimsoll.	Mr. Dalrymple.
Mr. Gorst.	Mr. Shaw Lefevre.

Mr. *Andrew Commins*, LL.D., was further examined.

Mr. *John Williamson* was examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 12th March 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Lord Eslington.	Mr. Bentinck.
Mr. Bates.	Mr. Burt.
Mr. Torr.	Mr. Plimsoll.
Mr. Charles Wilson.	Mr. Gorst.
Mr. Corry.	Mr. Thomas Brassey.
Mr. Macdonald.	Mr. Gourley.

Mr. *P. Talbot Peterson* and Mr. *Thomas Cargill Fyfe* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 15*th March* 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bates.	Mr. Corry.
Mr. Torr.	Mr. Bentinck.
Mr. Burt.	Mr. O'Shaughnessy.
Mr. Plimsoll.	Mr. Thomas Brassey.
Mr. Gorst.	Mr. Hamond.
Mr. Dalrymple.	Mr. Rodwell.
Mr. Macdonald.	Mr. Gourley.
Mr. Charles Wilson.	Mr. Shaw Lefeyre.
Mr. Ashley.	Lord Eslington.

Mr. *John Williamson* was further examined.

Lieutenant Colonel *Edward Stock Hill* was examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 19*th March* 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Lord Eslington.	Mr. Dalrymple.
Mr. Burt.	Mr. Plimsoll.
Mr. Macdonald.	Mr. Bentinck.
Mr. Bates.	Mr. Thomas Brassey.
Mr. Rodwell.	Mr. Gorst.
Mr. Gourley.	Mr. Torr.
Mr. Corry.	Mr. Shaw Lefevre.

Mr. *George Duncan* and Mr. *Roger Moore* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 22*nd March* 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bentinck.	Mr. Bates.
Mr. Hamond.	Mr. Torr.
Mr. Macdonald.	Mr. Charles Wilson.
Mr. Burt.	Mr. Corry.
Mr. Ashley.	Mr. Shaw Lefeyre.
Mr. O'Shaughnessy.	Mr. Gorst.

Mr. *William Tulley*, Mr. *Robert Watson*, and Mr. *Arthur Oughterson Leitch*, were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 26th March 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Plimsoll.	Mr. Dalrymple.
Mr. Macdonald.	Mr. Gourley.
Mr. Bates.	Mr. Charles Wilson.
Mr. Burt.	Mr. Torr.
Mr. O'Shaughnessy.	Mr. Gorst.
Mr. Corry.	

Mr. *Thomas Stamford Raffles* and Mr. *Thomas Hanmer* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 29th March 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bates.	Mr. Ashley.
Mr. Torr.	Mr. Dalrymple.
Mr. Rodwell.	Sir George Elliot.
Mr. Corry.	Mr. Charles Wilson.
Mr. Macdonald.	Mr. Gourley.
Mr. Burt.	Mr. Gorst.

The Rev. *Robert Buckley Boyer*, Commander *William Dawson*, R.N., and Captain *Henry Toynbee*, were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 2nd April 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bates.	Mr. Hamond.
Mr. Corry.	Mr. Thomas Brassey.
Mr. Macdonald.	Mr. Gourley.
Mr. Burt.	Mr. Shaw Lefevre.
Sir George Elliot.	Mr. Bentinck.
Mr. Plimsoll.	Mr. Dalrymple.
Mr. Rodwell.	

Mr. *Nathaniel Dunlop* was examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 5th April 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bentinck.	Mr. Corry.
Mr. Gorst.	Mr. Dalrymple.
Mr. Burt.	Mr. Rodwell.
Mr. Ashley.	Mr. O'Shaughnessy.
Mr. Bates.	Mr. Plimsoll.
Mr. Torr.	Mr. Gourley.
Mr. Macdonald.	Sir George Elliot.

Captain *Robert Pitman*, R.N., and Captain *Thomas Black* were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 9th April 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bentinck.	Mr. Thomas Brassey.
Mr. Gorst.	Mr. Burt.
Mr. Macdonald.	Sir George Elliot.
Mr. Bates.	Mr. Charles Wilson.
Mr. Torr.	Mr. Dalrymple.
Mr. O'Shaughnessy.	Mr. Plimsoll.
Mr. Corry.	Mr. Gourley.

Captain *Digby Murray* and Mr. *John Harris* were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 12th April 1878.

MEMBERS PRESENT:

Sir CHARLES ADDERLEY in the Chair.

Mr. Bates.	Mr. Dalrymple.
Mr. Torr.	Sir George Elliot.
Mr. Macdonald.	Mr. Bentinck.
Mr. Charles Wilson.	Mr. Hamond.
Mr. Burt.	Mr. O'Shaughnessy.
Mr. Ashley.	Mr. Gourley.
Mr. Corry.	

Mr. *Edward Bannister*, Mr. *T. Sumner Lemon*, and Major *Edward Mackay*, were severally examined.

[Adjourned till Tuesday, 14th May, at Twelve o'clock.

Tuesday, 14*th May* 1878.

MEMBERS PRESENT:

Mr. Edward Stanhope.	Mr. Charles Wilson.
Mr. Bentinck.	Mr. Corry.
Mr. Shaw Lefevre.	Mr. Macdonald.
Mr. Plimsoll.	Mr. Burt.
Mr. Bates.	Mr. Dalrymple.
Mr. Torr.	Mr. Hamond.

Mr. EDWARD STANHOPE was called to the Chair.

The Committee deliberated.

[Adjourned till Friday, 24th May, at Twelve o'clock.

Friday, 24*th May* 1878.

MEMBERS PRESENT:

Mr. EDWARD STANHOPE in the Chair.

Mr. Bates.	Mr. Corry.
Mr. Ashley.	Mr. Torr.
Sir George Elliot.	Mr. Rodwell.
Mr. Gorst.	Mr. Thomas Brassey.
Mr. Plimsoll.	Mr. Charles Wilson.
Mr. Macdonald.	Mr. Shaw Lefevre.
Mr. Bentinck.	Mr. Hamond.
Mr. Burt.	Mr. O'Shaughnessy.
Mr. Dalrymple.	Mr. Gourley.

Clauses 1—3, *agreed to.*

Clause 4.—Amendment proposed, in page 1, line 16, to leave out from the word "until" to the word "engagement," in line 18 (both inclusive), in order to insert the words "subject to the express provisions hereafter contained in this Act"—(Mr. *Gorst*).—Question put, That the word "until" stand part of the Clause.—The Committee divided:

Ayes, 9.	Noes, 5.
Mr. Bentinck.	Mr. Plimsoll.
Mr. Charles Wilson.	Mr. Gorst.
Mr. Torr.	Mr. Burt.
Mr. Thomas Brassey.	Mr. Ashley.
Mr. Rodwell.	Mr. Macdonald.
Mr. Corry.	
Mr. Bates.	
Mr. Dalrymple.	
Sir George Elliot.	

Another Amendment proposed, page 1, line 16, after the word "until," to insert the words "any vessel in which"—(Mr. *Plimsoll*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 5.	Noes, 10.
Mr. Plimsoll.	Mr. Shaw Lefevre.
Mr. Gorst.	Mr. Bentinck.
Mr. Burt.	Mr. Charles Wilson.
Mr. Ashley.	Mr. Torr.
Mr. Macdonald.	Mr. Thomas Brassey.
	Mr. Rodwell.
	Mr. Corry.
	Mr. Bates.
	Mr. Dalrymple.
	Sir George Elliot.

Another Amendment proposed, in page 1, line 21, at end of the Clause, to add the words: "Provided that the master of any vessel, or any person or persons acting under or by his authority, may, within the 24 hours next before the day appointed for the sailing of such vessel, use such force as may be necessary to take on board such vessel any seaman who, having bound himself by ship's articles to join such vessel, shall refuse to go on board, and provided further that the wages of any seaman so taken on board shall begin

to run from the time of his being taken on board"—(Mr. *Rodwell*).—Question put, That those words be there added.—The Committee divided:

Ayes, 4.	Noes, 11.
Mr. Bentinck.	Mr. Shaw Lefevre.
Mr. Rodwell.	Mr. Charles Wilson.
Mr. Bates.	Mr. Torr.
Sir George Elliot.	Mr. Plimsoll.
	Mr. Gorst.
	Mr. Thomas Brassey.
	Mr. Burt.
	Mr. Corry.
	Mr. Ashley.
	Mr. Macdonald.
	Mr. Dalrymple.

Question put, That the Clause stand part of the Bill.—The Committee divided:

Ayes, 10.	Noes, 8.
Mr. Shaw Lefevre.	Mr. Bentinck.
Mr. Plimsoll.	Mr. Charles Wilson.
Mr. Gorst.	Mr. Torr.
Mr. Thomas Brassey.	Mr. Rodwell.
Mr. Burt.	Mr. Corry.
Mr. Ashley.	Mr. Bates.
Mr. Gourley.	Mr. Hamond.
Mr. Macdonald.	Sir George Elliot.
Mr. Dalrymple.	
Mr. O'Shaughnessy.	

Clause 5.—Amendment proposed in page 1, line 24, after the word "money" to insert the words "from his employers"—(Mr. *Shaw Lefevre*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 12.	Noes. 5.
Mr. Shaw Lefevre.	Mr. Bentinck.
Mr. Charles Wilson.	Mr. Torr.
Mr. Plimsoll.	Mr. Rodwell.
Mr. Thomas Brassey.	Mr. Corry.
Mr. Burt.	Mr. Bates.
Mr. Ashley.	
Mr. Gourley.	
Mr. Hamond.	
Mr. Macdonald.	
Mr. Dalrymple.	
Mr. O'Shaughnessy.	
Sir George Elliot.	

Another Amendment proposed, in page 1, lines 25—26, to leave out the words "wilfully and without reasonable cause refuses or neglects to perform," in order to insert the words "absconds, or wilfully conceals himself, in order to evade the performance of"—(Mr. *Gorst*).—Question, That the words proposed to be left out stand part of the Clause,—put, and *agreed to*.

Another Amendment proposed in page 2, line 2, to leave out the word "six," in order to insert the word "four"—(Mr. *Macdonald*).—Question, That the word "six" stand part of the Clause,—put, and *agreed to*.

Another Amendment proposed, in page 2, lines 2—3, at the end of the Clause, to leave out the words "with or without hard labour"—(Mr. *Macdonald*).—Question, That the words proposed to be left out stand part of the Clause,—put, and *agreed to*.

Question put, That the Clause, as amended, stand part of the Bill.—The Committee divided:

Ayes, 13.	Noes, 2.
Mr. Shaw Lefevre.	Mr. Charles Wilson.
Mr. Bentinck.	Mr. Gourley.
Mr. Torr.	
Mr. Thomas Brassey.	
Mr. Rodwell.	
Mr. Burt.	
Mr. Corry.	
Mr. Ashley.	
Mr. Bates.	
Mr. Hamond.	
Mr. Macdonald.	
Mr. Dalrymple.	
Sir George Elliot.	

Clause 6.—

Clause 6.—Amendment proposed, in page 2, line 10, to leave out the words "or without" —(Mr. *Bentinck*).—Question proposed that the words "or without" stand part of the Clause.—Amendment and Question, by leave, *withdrawn.*

Another Amendment proposed, in page 2, line 11, after the word "labour," to insert the words "or to a fine not exceeding 5 *l.*"—(The *Chairman*).—Question, That those words be there inserted,—put, and *agreed to.*

An Amendment made.—Clause, as amended, *agreed to.*

Clauses 7—8, *agreed to.*

Clause 9.—Amendments made.—Another Amendment proposed in page 5, line 12, to leave out the words "one month," in order to insert the words "six months"—(The *Chairman*).—Question, That the words "one month" stand part of the clause,—put, and *negatived.*—Question proposed that the words "six months" be inserted instead thereof. —Whereupon Amendment proposed to the proposed Amendment to leave out the word "three," in order to insert the word "six"—(Mr. *Macdonald*).—Question, That the word "six" stand part of the proposed Amendment,—put, and *agreed to.*—Words "six months" inserted in the clause.—Clause, as amended, *agreed to.*

Clauses 10—11, *agreed to.*

Clause 12, amended, and *agreed to.*

Clause 13.—Amendment proposed in page 6, line 21, to leave out the word "three," in order to insert the word "six"—(Mr. *Torr*).—Question, That the word "three" stand part of the clause,—put, and *agreed to.*

Another Amendment proposed in page 6, line 24, to leave out the word "one," in order to insert the word "two"—(Mr. *Torr*).—Question proposed, That the word "one" stand part of the Clause.—Amendment and Question, by leave, *withdrawn.*

Clause *agreed to,*

Clause 14, *agreed to.*

Clause 15.—Amendments made.—Question put, That the clause, as amended, stand part of the Bill.—The Committee divided:

Ayes, 7.	Noes, 7.
Mr. Gorst.	Mr. Shaw Lefevre.
Mr. Rodwell.	Mr. Charles Wilson.
Mr. Burt.	Mr. Torr.
Mr. Ashley.	Mr. Corry.
Mr. Hamond.	Mr. Bates.
Mr. Dalrymple.	Mr. Gourley.
Mr. O'Shaughnesey.	Sir George Elliot.

Whereupon the Chairman declared himself with the *Ayes.*

Clause 16.—Amendment proposed in page 7, line 23, after the word "service," to insert the words "or any person employed in loading or discharging a ship"—(The *Chairman*).—Question, That those words be there inserted,—put, and *agreed to.*

Another Amendment proposed, in page 7, line 37, to leave out the word "three," in order to insert the word "six"—(Mr. *Hamond*).—Question proposed, That the word "three" stand part of the clause.—Amendment and Question, by leave, *withdrawn.*—Clause, as amended, *agreed to.*

[Adjourned till Friday next, at Twelve o'clock.

Friday, 31*st May* 1878.

MEMBERS PRESENT:

Mr. EDWARD STANHOPE in the Chair.

Mr. Burt.	Mr. Bentinck.
Mr. Rodwell.	Mr. O'Shaughnessy.
Mr. Plimsoll.	Mr. Macdonald.
Mr. Corry.	Mr. Charles Wilson.
Mr. Ashley.	Mr. Thomas Brassey.
Mr. Dalrymple.	Mr. Hamond.
Mr. Torr.	Mr. Shaw Lefevre.
Mr. Bates.	

Clauses 17—18, *agreed to.*

Clauses 19—22, *disagreed to.*

Clauses 23—25, *agreed to.*

Clause 26, amended, and *agreed to.*

Clauses 27—31, *agreed to.*

Possession of unlawful weapons.

New clause.—"If a seaman or apprentice to the sea service has in his possession during the term of his engagement, and without the authority of the master of his ship, any revolver, slung shot, or weapon commonly known as a knuckle duster, he shall be liable, on summary conviction, to be imprisoned for any period not exceeding six months, with hard labour. If a seaman or apprentice to the sea service has in his possession during the term of his engagement, and without the authority of the master of his ship, any sheath knife, he shall be liable, on summary conviction, to a fine not exceeding 5 *l.*"—(Mr. *Bentinck*)—brought up, and read the first time.—Question put, That the Clause be read a second time.—The Committee divided:

Aye, 1.	Noes, 10.
Mr. Bentinck.	Mr. Charles Wilson.
	Mr. Torr.
	Mr. Plimsoll.
	Mr. Burt.
	Mr. Corry.
	Mr. Ashley.
	Mr. Bates.
	Mr. Macdonald.
	Mr. Dalrymple.
	Mr. O'Shaughnessy.

New Clause.—"If a seaman or apprentice to the sea service, or any officer of the ship, without the sanction of the master of the ship, uses or has in his possession any weapon or instrument the use or possession of which is prohibited by the agreement with the crew, he shall, on summary conviction, be liable to be imprisoned for a period not exceeding three months, with or without labour, or, in the discretion of the court, to pay a fine not exceeding 5 *l.*"—(Mr. *Bentinck*)—brought up, and read the first and second time.

Amendment proposed in line 5, to leave out the word "three" in order to insert the word "one"—(Mr. *Macdonald*).—Question put, That the word "three" stand part of the clause.—The Committee divided:

Ayes, 8.	Noes, 3.
Mr. Bentinck.	Mr. Charles Wilson.
Mr. Torr.	Mr. Macdonald.
Mr. Plimsoll.	Mr. O'Shaughnessy.
Mr. Burt.	
Mr. Corry.	
Mr. Ashley.	
Mr. Bates.	
Mr. Dalrymple.	

Clause *added* to the Bill.

Conditional advance notes illegal.

New Clause.—"After the 1st day of January 1880, any document authorising or promising, or purporting to authorise or promise, the future payment of money on account of a seaman's wages conditionally on his going to sea, and made before those wages have been earned, shall be void. No moneys paid in satisfaction or in respect of any such document shall be deducted from his wages, and no person shall have any right of action, suit, or set off against the seaman or his assignee in respect of any money so paid, or purporting to have been so paid; provided that nothing in this clause shall invalidate or affect any allotment note duly made under the Merchant Shipping Act, 1854"—(Mr. *Ashley*)—brought up, and read the first time.—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 8.	Noes, 5.
Mr. Macdonald.	Mr. Corry.
Mr. O'Shaughnessy.	Mr. Bates.
Mr. Torr.	Mr. Bentinck.
Mr. Thomas Brassey.	Mr. Hamond.
Mr. Ashley.	Mr. Charles Wilson.
Mr. Burt.	
Mr. Plimsoll.	
Mr. Dalrymple.	

Question,

Question, That the Clause be added to the Bill.—The Committee divided:

Ayes, 8.	Noes, 5.
Mr. Macdonald.	Mr. Corry.
Mr. O'Shaughnessy.	Mr. Bates.
Mr. Torr.	Mr. Bentinck.
Mr. Thomas Brassey.	Mr. Hamond.
Mr. Ashley.	Mr. Charles Wilson.
Mr. Burt.	
Mr. Plimsoll.	
Mr. Dalrymple.	

Penalty for fraudulent description.

New Clause.—"Where a seaman, at the time of signing an agreement, wilfully and fraudulently gives a false name or address, or a false statement of the name and description of his last ship, or last alleged ship, or of his last rating, or last alleged rating, he shall be liable, on summary conviction, to be imprisoned for any period not exceeding one month, with or without hard labour"—(The *Chairman*)—brought up, and read the first and second time.—Amendment proposed, in line 4, to leave out the word "one," in order to insert the word "two"—(Mr. *Bentinck*).—Question, That the word "one" stand part of the Clause,—put, and *agreed to*.—Clause *added* to the Bill.

New Clause.—"Provision as to allotment note"—(Mr. *Ashley*)—brought up, read the first and second time, and *added* to the Bill.

New Clause.—"Any allotment note made under the provisions of the Merchant Shipping Act, 1854, or of this Act, may be made in favour of any banker, or of the manager of any bank, or of the shipping master of any shipping office, or of the superintendent of any sailor's home, and Section 169 of the said Act shall be read as if the persons hereinbefore mentioned were included amongst the persons mentioned in the said section"—(Mr. *Ashley*)—brought up, and read the first time.—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 4.	Noes, 8.
Mr. Macdonald.	Mr. Corry.
Mr. O'Shaughnessy.	Mr. Torr.
Mr. Ashley.	Mr. Bates.
Mr. Burt.	Mr. Bentinck.
	Mr. Thomas Brassey.
	Mr. Dalrymple.
	Mr. Hamond.
	Mr. Charles Wilson.

Time of payment and effect of non-payment of wages. *See* 17 & 18 Vict. c. 104, s. 187.

New Clause.—"A seaman's wages shall be payable when he leaves the ship with the sanction of the master at the end of his engagement; and until the wages are paid the seaman shall continue entitled to receive the same wages as if the engagement were not ended. Provided that where—(1) the seaman leaves the ship with such sanction, and is given by or on behalf of the owner or master, on or before so leaving, the money and the account named in Sections 20 and 21 of this Act, and is paid the balance of his wages within forty-eight hours thereafter; or (2) the seaman quits the ship without sanction and without sufficient reason after her arrival at the port at which his engagement is to end, and before the time so fixed for leaving the ship, or, if no time is fixed, before the ship is safely moored in her berth; or (3) any delay in such payment arises from the default of the seaman, or from a reasonable dispute as to liability on the part of the owner or master of the ship; the seaman shall not be entitled to receive any wages in respect of any time after the date of quitting the ship, default, or dispute (as the case may be), and that date in case of difference shall be determined by the court having cognizance of the case"—(The *Chairman*)—brought up, and read the first time.—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 6.	Noes, 3.
Mr. Shaw Lefevre.	Mr. Bentinck.
Mr. Burt.	Mr. Corry.
Mr. Ashley.	Mr. Bates.
Mr. Hamond.	
Mr. Macdonald.	
Mr. Dalrymple.	

Amendment proposed in line 2, after the word "master" to insert the words, "or officers in command"—(Mr. *Hamond*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.	Noes, 6.
Mr. Burt.	Mr. Shaw Lefevre.
Mr. Ashley.	Mr. Bentinck.
Mr. Hamond.	Mr. Corry.
	Mr. Bates.
	Mr. Macdonald.
	Mr. Dalrymple.

Another Amendment proposed, in line 2, after the word "engagement," to insert the words "or within forty-eight working hours after"—(Mr. *Bates*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 4.	Noes, 8.
Mr. Bentinck.	Mr. Shaw Lefevre.
Mr. Charles Wilson.	Mr. Plimsoll.
Mr. Corry.	Mr. Thomas Brassey.
Mr. Bates.	Mr. Burt.
	Mr. Ashley.
	Mr. Hamond.
	Mr. Macdonald.
	Mr. Dalrymple.

Question put, That the Clause be added to the Bill.—The Committee divided:

Ayes, 8.	Noes, 4.
Mr. Shaw Lefevre.	Mr. Bentinck.
Mr. Plimsoll.	Mr. Charles Wilson.
Mr. Thomas Brassey.	Mr. Corry.
Mr. Burt.	Mr. Bates.
Mr. Ashley.	
Mr. Hamond.	
Mr. Macdonald.	
Mr. Dalrymple.	

Three new clauses *added* to the Bill.

SCHEDULE *agreed to.*

Question put, That this Bill, as amended, be reported to the House.—The Committee divided:

Ayes, 7.	Noes, 3.
Mr. Plimsoll.	Mr. Charles Wilson.
Mr. Thomas Brassey.	Mr. Corry.
Mr. Rodwell.	Mr. Bates.
Mr. Burt.	
Mr. Ashley.	
Mr. Hamond.	
Mr. Macdonald.	

Question, That the evidence be reported to the House,—put, and *agreed to.*

Question proposed, That the Appendix be reported to the House.

Whereupon Motion made, and Question put, That the Paper handed in by Mr. Plimsoll containing a letter from the governor of Usk Gaol, be struck out of the Appendix—(Mr. *Rodwell*).—The Committee divided:

Ayes, 5.	Noes, 3.
Mr. Charles Wilson.	Mr. Plimsoll.
Mr. Rodwell.	Mr. Burt.
Mr. Corry.	Mr. Ashley.
Mr. Bates.	
Mr. Hamond.	

Ordered, To Report the Appendix, as amended, to the House.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Mr. Colby Atkineon Davis.	Secretary, Seamen's Defence Association.	Hull - - -	3	3 3 -	2 4 -	5 7 -
Mr. Andrew Commins	Barrister - - - - -	Liverpool - -	5	15 15 -	3 3 -	18 18 -
Mr. T. C. Fyfe - -	Commission Agent - - -	Liverpool - -	9	9 9 -	3 3 -	12 12 -
Mr. Roger Moore -	Soap Manufacturer - - -	Bristol - - -	8	8 8 -	6 8 -	14 16 -
Captain J. F. Kruger	Merchant Service - - -	Hull - - -	3	3 3 -	2 16 -	5 19 -
Mr. William Tulley -	Shipowner - - - -	Hull - - -	3	3 3 -	2 16 -	5 19 -
Mr. Thomas Hanmer -	Secretary, Sailor's Home, Liverpool.	Liverpool - -	3	3 3 -	3 3 -	6 6 -
Colonel Edward Stock Hill.	Shipowner - - - -	Cardiff - - -	3	3 3 -	3 10 -	6 13 -
Mr. Stamford Raffles	Stipendiary Magistrate - -	Liverpool - -	1	1 1 -	3 3 -	4 4 -
Mr. Edward Bannister	Merchant - - - - -	Grimsby - - -	2	2 2 -	2 10 -	4 12 -
Colonel Edward Mackay	Governor, Lindsay Gaol - -	Lincoln - - -	3	3 3 -	2 7 -	5 10 -
Mr. Farndell - -	For translating Extracts from the German Commercial Code.	- - - - -	- -	4 4 -	- -	4 4 -
		TOTAL - - - £.		59 17 -	35 3 -	95 - -

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MINUTES OF EVIDENCE.

Friday, 1st March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gorst.
Mr. Ashley.	Mr. Gourley.
Mr. Bates.	Mr. Hamond.
Mr. Bentinck.	Mr. Shaw Lefevre.
Mr. Burt.	Mr. Macdonald.
Mr. Dalrymple.	Mr. Plimsoll.
Lord Eslington.	Mr. Torr.

THE RIGHT HONOURABLE SIR CHARLES BOWYER ADDERLEY, IN THE CHAIR.

Mr. COURTENAY PEREGRINE ILBERT, called in; and Examined.

Chairman.

1. YOU are the Draughtsman, I think, of the Merchant Seamen Bill?—I am.

2. Is not the Bill divisible into three principal parts: first, the application of the Acts of 1875, that is to say, the Employers and Workmen Act, and the Conspiracy Act of 1875, to seamen to a certain extent; secondly, the subject of discipline, which occupies from the 6th to the 18th clauses inclusive; and thirdly, the subject of the payment of wages, which occupies from the 19th to the 22nd clauses inclusive?—Practically, it is. There are also one or two supplemental clauses.

3. Upon the first subject, namely, the application of the Acts of 1875 to seamen, there is only one clause, I think, and that is the fourth, which applies to the acts of seamen, does it not, until their joining their ship?—It does; that is the only clause.

4. Would you state what is the effect of those Acts of 1875 upon workmen to whom they apply?—To state it fully would require rather a long story, but I will try to put it as shortly as possible. Before the Acts of 1875, workmen were liable at common law to be indicted for conspiracy if they agreed or combined to do certain acts which would not be crimes if done by a single person. Then, under a series of statutory enactments, workmen were liable to be punished by fine and imprisonment for breaking a contract of service. Some of these Acts were of very general application; some of them were confined in their application to particular employments; but none of them applied to seamen. The jurisdiction under these statutes was given to justices, and was exercisable in a summary

Chairman—continued.

manner. Under the same statutes, on the other hand, the workman had a summary remedy against his employer for non-payment of wages. Under these circumstances complaints were made both of the law and of the procedure. It was said that the common law as to conspiracy was defective on the point to which I have referred, namely, that in certain cases it made combination punishable, where the act if done by a single person would not be punishable. Then it was said that the statutory law was not fair, because it treated breach of contract by a workman in a different way from breach of contract by an ordinary person. The statutes to which I have referred treat breach of contract by a workman as an offence of the same nature, punishable in the same manner, and with the same penalties as embezzlement and other acts, which are clearly criminal in their character. In fact, the principle which runs through all those Acts is that the relation of master and servant is a matter of police regulation. But, it was said, from the modern point of view the relation of master and servant, or in other words, of employer and workman, is a relation of contract, and a breach of this contract, though it should always involve a civil liability, should not involve a criminal liability, except under special circumstances. Finally, it was said that the procedure was defective as a machinery for settling disputes between employers and workmen, because, although it was used for settling mere questions of civil liability, yet it was originally intended, and was still better adapted, for criminal than for civil proceedings,

Mr. *Ilbert.*

1 March 1878.

Chairman—continued.

ceedings, and from its very nature it tended to obscure the distinction, which, it was said, ought to be observed between civil injuries and criminal offences. Those were, I think, the three main causes of the complaint against the law. That being so, the Acts of 1875 amended both the law and the procedure. Speaking broadly, and subject to an important exception, it may be said that the amendment of the law was affected by the Conspiracy Act, that is, the 38th & 39th Victoria, chapter 86; and the amendment of the procedure by the Employers and Workmen Act, that is, the 38th & 39th Victoria, chapter 90. Taking first the Conspiracy Act; Section 3 amends the common law as to conspiracy, by enacting that "An agreement or combination by two or more persons to do or procure to be done any act in comtemplation or furtherance of a trade dispute between employers and workmen shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime;" and there are certain savings. Then Section 17 repeals specifically a series of enactments, which make breach of contract by workmen criminal. As I have said, none of those enactments apply to seamen: So far the Act is merely a relaxation of the severity of the previous law. But having declared that breach of contract of service should not, as a general rule, be treated as a crime, it goes on to make breach of that contract a crime in certain special cases. Section 5, which strikes the key note of the Act, says that when any person breaks a contract of service or of hiring, wilfully and maliciously, and knowing or having any reasonable cause to believe that the probable consequences of his so doing, either alone or in combination, will be to endanger human life, or cause serious bodily injury, or to expose valuable property to destruction, or serious injury, he shall be liable to fine or imprisonment. That section is general in its application. Then Section 4 applies exclusively to certain special forms of employment in which, from their nature, it was considered that a breach of duty by a workman would be specially likely to involve danger to the community at large. Section 4 imposes penalties on any person employed by a gas or water authority, if he wilfully and maliciously breaks a contract of service with that authority, knowing or having reasonable cause to believe that the probable consequences of his so doing will be to deprive the inhabitants of any place wholly, or to a great extent, of their supply of gas or water. And the only other important change in the substantive law effected by the Act is in Section 7, which in its original form was especially directed against picketing, but which was in its passage through the House generalised, and made to apply to the offence of intimidation or annoyance by whomsoever committed. Section 6 amends the law as to the penalties for the neglect by a master to provide food and clothing for his servant or apprentice. The rest of the Act is mainly concerned with procedure. There is one important change in procedure made by the Act, namely, that made by Section 9, which gives a person charged with an offence under the Act the option of being tried by jury instead of being tried summarily by magistrates. Then Section 16 declares that nothing in the Act is to apply to seamen or to apprentices to the

Chairman—continued.

sea service. Then, as to the Employers and Workmen Act. The Employers and Workmen Act is mainly a procedure Act. It begins by assuming that the appropriate court for settling disputes between employers and workmen is the County Court; and by Section 3. it enacts that in any proceeding before a County Court in relation to a dispute between an employer and a workman arising out of or incidental to their relation as such (which is called a dispute under the Act), the court may, in addition to its ordinary powers, exercise certain powers which are specially appropriate to this class of disputes. These powers are, first, a general power to adjust and set off mutual claims; secondly, a power to rescind the contract, and set both parties free; and thirdly, a power, with the consent of both parties, to direct either party to give security for the performance of his contract. But it was agreed on all sides that it was necessary to keep up in some form the old magisterial jurisdiction over disputes between employers and workmen. Accordingly the Act by Section 4 conferred on magistrates the same jurisdiction and powers for settling disputes between employers and workmen as were exercisable by a County Court, but expressly declared that for these purposes the court should be considered a Court of Civil Jurisdiction. And in conformity with this declaration, whilst applying generally the procedure under Jervis's Act, 11th & 12th Victoria, chapter 43, it took away from that procedure those elements which gave it a criminal character. Thus by Section 9 it took away from the court the power of issuing a warrant of apprehension for non-appearance to a summons, and the power to enforce by imprisonment an order for payment of money except in cases where an order might be so enforced under the Debtors Act. Then Sections 6 and 7 confer special powers applicable to disputes between masters and apprentices, whose position obviously differs from that of ordinary workmen. The application of the Act will be found in Sections 10, 12, and 13. By Section 10 the term "workman" is defined, and it is so defined as to exclude domestic servants and also seamen. Section 12 declares that the Act, so far as it relates to apprentices, shall apply only to an apprentice to the business of a workman, as defined by the Act; and Section 13 declares that the Act shall not apply to seamen or to apprentices to the sea service. Those being the effects of the two Acts of 1875, Clause 4 of the Bill applies them to seamen, so far as they are applicable, during a limited period, namely, the period which elapses between their entering into their contract and their *actually* joining their ship, or beginning duty under their contract.

5. Would not the mere repeal of the clauses of these Acts which exempt seamen, leave them still under the existing discipline law?—The mere repeal of those sections would effect very little, because the gist of the Conspiracy Act lay in the repealing section, Section 17, and that section did not touch any Acts which are applicable to seamen. Therefore, the Conspiracy Act by itself would, even if applied to seamen, practically not affect their position. Then again, many of the provisions, both of the Conspiracy Act and of the Employers of Workmen Act, are not, from their nature, applicable to

seamen.

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seamen. Section 3 of the Conspiracy Act, which alters the law of conspiracy, is probably applicable to seamen; but Section 4, which applies only to persons employed by gas and water companies, is not applicable to them. Section 5, though applicable, is not a provision likely to be enforced, as there are other provisions of the Merchant Shipping Act under which proceedings might more easily be taken; and Section 6 is not necessary with reference to seamen.

6. Then, upon the whole, Clause 4 of the Bill applies these Acts, so far as they are applicable, to seamen up to the time of joining a ship, and other parts of the Bill relieve them up to that time of the discipline law?—Yes; Clause 4 must be read in close connection with Clause 6, and with the repealing clause and the schedule to which it refer. The repealing clause repeals absolutely the existing enactments which punish seamen for breach of contract. Clause 6, and the following clauses, re-enact those enactments, but make them applicable only during the period which elapses after the commencement of service.

7. Now will you state what is the effect of Clause 5?—The history of Clause 5 is this: Under the existing law, if a seaman obtains an advance of wages, and then breaks his contract, and does not join his ship, he may be punished; he may be sent to prison for neglecting or refusing to join; but the Bill proposes to repeal so much of the existing law as imposes penalties for refusing to join. The consequence would be that, with regard to a seaman who obtained an advance, and then absconded, although he would be subject to a civil liability for breach of contract, yet it would be rather difficult to hit him under any provision of the criminal law. I speak with some diffidence on the subject of the criminal law, but it appears to me that there is no provision of the criminal law which would clearly apply to such a case. The offence would not be embezzlement, it would not be larceny, and it would hardly be obtaining money under false pretences. Therefore, it was thought advisable to impose a penalty for breach of contract committed under these circumstances, which, in fact, amount to fraud.

8. Now with regard to the discipline clauses, from 6 to 18 inclusive, are these clauses, generally speaking, a consolidation of the existing law?—Substantially they are; with amendments of detail.

9. But now made to apply to seamen only after joining their ship?—Only after joining their ship. The period during which they are applicable is limited.

10. What, by common law, is the captain's authority over his crew?—It is an authority of a very extensive, but at the same time of a very indefinite, kind. By common law he has absolute and despotic authority over all persons on board for all purposes connected with the safety of the ship; but at the same time, if he abuses this authority, he is liable to damages in an action for assault; in fact, his authority is despotism tempered by the liability to this action.

11. Then you know, do you, of cases in which actions have been brought against a captain for excess of authority?—There have been numerous cases of that kind.

12. Will you state to us what the recommend-

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ations of the Royal Commission on Unseaworthy Ships was on this point?—The recommendations contained on page xiii. of their final Report; perhaps I might read the paragraph: "When a merchant ship leaves the port the lives of the passengers and crew, as well as the safety of the ship, are entrusted to the skill and judgment of the master. It is essential, therefore, that the authority of the master should be upheld, and any interference tending to impair his authority and to lower his position adds seriously to the dangers of navigation. The evidence which we have taken shows that the masters of ships have no longer the control over the crew which is necessary, and was formerly used. It is certainly not to be regretted that the increased independence of seamen (which we attribute chiefly to the increased demand for their services) has rendered tyranny and cruelty both difficult and unprofitable. But there is reason to doubt whether the change has not been such as practically to deprive the master of the control necessary to the security of his own vessel and to that of other vessels which he may chance to meet. There appears, practically, to be very little power of punishing the sailor for anything but mutinous conduct. The consequence of this is that he can be guilty, with virtual impunity, of many gross derelictions of duty, some of which tend directly to the loss of property and of life. We are informed that it is impracticable to punish a sailor for such a gross breach of trust as neglecting to keep a look-out except by some extreme process, such as charging him with manslaughter after loss of life. Such offences as drunkenness on duty, neglect to place a look-out or to relieve it, sleeping on the look-out, neglect of machinery, disobedience and insubordination, appear to us to require more direct penalties and a less cumbrous remedy than that of being treated as mutiny, or of being only punished when they have produced fatal results."

13. What is the present law for punishing desertion and absence without leave?—I should say, first, that by common law, independently of statute, the penalty for desertion was forfeiture of all wages and effects, and the courts used to have no power to lessen that penalty; consequently the statutes, so far as they give a power to lessen that penalty, involve a mitigation of the previous law. But practically the penalties for desertion are now contained in section 243 of the Merchant Shipping Act, 1854. By the 11 Will. 3, c. 7, s. 13, the offence of desertion is punishable by forfeiture of wages; but that section simply affirms the common law and may be treated as superseded by the later enactment of 1854. By the Act of 1854 a seaman is liable for desertion to imprisonment for 12 weeks, with or without hard labour; and also to forfeit all or any part of the clothes and effects he leaves on board, and all or any part of the wages or emoluments which he has then earned; and (if the desertion takes place abroad) all or any part of the wages or emoluments he may earn in any other ship in which he is employed till his next return to the United Kingdom; and to satisfy any excess of wages paid by the master or owner of the ship from which he deserts to any substitute engaged in his place at a higher rate of wages than the rate stipulated to be paid to him. For neglecting or refusing without reasonable cause to join his

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ship, or to proceed to sea in his ship; or for absence without leave at any time within 24 hours of the ship's sailing from any port, either at the commencement or during the progress of the voyage; or for absence at any time without leave and without sufficient reason from his ship, or from his duty, not amounting to desertion, or not treated as such by the master, he is liable to imprisonment for any period not exceeding 10 weeks, with or without hard labour, and also to forfeit out of his wages a sum not exceeding two days' pay, and in addition for every 24 hours of absence either a sum not exceeding six days' pay, or any expenses incurred in hiring a substitute.

14. How does Clause 6 of this Bill alter the punishment for desertion and for absence without leave?—In the case of desertion it reduces the maximum period of imprisonment from 12 to six weeks, and it empowers the court to substitute forfeiture of wages for imprisonment. In the case of absence without leave, it reduces the maximum period of imprisonment from 10 weeks to six weeks, but raises the maximum forfeiture from two days' to 10 days' wages.

15. Then neglecting to join will be left to a civil remedy under the Acts of 1875?—It will, except in cases out of the United Kingdom.

16. How does the Bill deal with neglecting to join if the engagement is abroad, and therefore civil remedy is impossible?—It deals with that case by Clause 8, and Clause 8 practically places a seaman engaged out of the United Kingdom who neglects or refuses to join without reasonable cause, in the same position as if he had been absent without leave and without sufficient reason after joining. But then that clause is qualified by a proviso that if a colony passes or has passed a law similar in effect to the Employer and Workmen Act, that is to say, a law supplying a cheap and prompt civil procedure for breach of contract of service, then the penal provisions of the section may be made to cease within the colony.

17. How does Clause 10 treat quitting a ship after its arrival, but before discharge?—It imposes a lighter penalty than for quitting the ship without leave during the period of service. Substantially it re-enacts the penalty which is imposed for this offence by Section 243 of the Act of 1854; but it marks definitely the time when a ship is "safely moored in her berth" as that until which a seaman must, in the absence of special stipulation, remain on board.

18. For the same reason, refusing to proceed to sea is also omitted in the 6th clause, which is part of the description of offence provided for in the existing law, namely, that by Clause 4, refusing to proceed to sea may be treated civilly?—Yes.

19. For the same reason, absence without leave within 24 hours of sailing is also omitted, being left to a civil remedy under the Act, under the 4th clause?—If it occurs before the man has joined it ought to be dealt with under Clause 4: if it occurs afterwards it ought not to be punished unless it occurs without sufficient reason.

20. What is the meaning of the last paragraph of Clause 6, which allows a seaman to give evidence, and to be examined as a witness?—The reason for adding it is, that these proceedings are partly civil and partly criminal proceedings,

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and that the same question is often raised in a suit for wages by the seaman, and in a criminal proceeding for desertion by the master; but whilst in the former case both the seaman and the master can give evidence, in the latter the seaman's evidence (except to the extent permitted by Section 7 of the Act of 1871, namely, the power to demand a survey), is excluded. It was thought fair that the seaman should have the power to give evidence in both cases.

21. Is Clause 7, the clause relating to arrest without warrant, the existing law, namely, the 246th section of the Act of 1854, limited till after the ship's clearance?—Substantially it is so limited by the provisions in the 2nd paragraph of the clause.

22. Up to a ship's clearing, then, a warrant must be obtained?—It must.

23. Was this clause in, what I will call the dropped Bill of 1875, the Merchant Shipping Bill of that year?—It was, with this difference, that in that clause there was inserted a proviso that in a colony, as in a foreign country, the power of arrest without warrant should be exercised only if, and so far as, the local law permitted. That proviso has been omitted in the present Bill.

24. With that modification this clause passed through Committee in 1875?—I believe it did.

25. Why do you propose to omit the modification now?—I believe the reason is, that the clause in its present form merely re-enacts the existing law, and that there is no reason to suppose that the existing law has ever been complained of by the Colonies; and it is quite consistent with other parts of the Merchant Shipping Acts in which the right of legislating for the Colonies has been exercised. But I ought to point out that, under the application clause which incorporates the application section of Part 3 of the Merchant Shipping Act. 1854, this clause would not apply to a colonial ship, when within the waters of her own colony; that is under Clause 27.

26. Is the 9th clause the same as that which passed through Committee in the dropped Bill of 1875?—It is, with some verbal modifications.

27. How far does that Clause 9 alter the existing Acts of 1871 and 1873?—First, it substitutes the term "unsafe," as defined by the Act of 1876, for the term "unseaworthy"; the term "unsafe" being considered to have a more definite meaning, and being the term adopted in the Act of 1876, with reference to ships which may be detained by the Board of Trade. Secondly, it gives the power of demanding a survey to a single seaman, instead of to one-fourth of the crew. Thirdly, previous complaint to the master is not made a condition precedent of the right to apply for a survey. Fourthly, the express power to take the evidence of the complaining seamen is omitted, being sufficiently given by the final paragraph of Clause 6. And fifthly, a false and malicious allegation of unsafety is made a criminal offence.

28. With these alterations this clause is a repetition of the law of 1871 and 1873?—It is.

29. Now, coming to Clause 11, is that the existing law wholly unaltered, namely, the 239th Section of the Act of 1854?—It is; it is merely a re-enactment.

30. With regard to Clause 12, is that taken from

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from the Act 11 of Will. 3?—The first three sub-sections are substantially a re-enactment of 11 Will. 3, c. 7, s. 8, as amended by subsequent statutes. Sub-section 4 is a re-enactment of part of Section 243 of the Merchant Shipping Act, 1854.

31. And with regard to the first three sub-sections, has it not the advantage of defining mutiny?—It has the advantage of calling the offence by its proper name. The offence by the 11 Will. 3 is called piracy, whereas it really is not piracy; by this clause it is called mutiny, which is the name which would ordinarily be applied to it.

32. Will this clause make it clear that mutiny in this Bill means what is described in the four sub-sections?—I think it will.

33. With regard to Clause 13, how far does that alter the 243rd section of the Act of 1854?—The term of imprisonment is the same, but there is a new power of adding, or substituting forfeiture of wages.

34. With regard to Clause 14, does that differ from the 243rd section of the Act of 1854?—There is an alteration of language, which was to some extent suggested by the recommendation of the Report of the Royal Commission; that is to say, the offences dealt with by the section are described more specifically. Then as to the penalties, the court is empowered to substitute forfeiture of wages for imprisonment, which it cannot at present do.

35. With regard to Clause 15, is there anything new in that?—Clause 15 is a new enactment; it is the same as a clause of the 1875 Bill, as agreed to in Committee. The only change in the present Bill is, that an officer, as well as a seaman, is made liable to imprisonment with hard labour.

36. Is this, which is practically a new clause, based on a recommendation of the Unseaworthy Ships Commission?—It is; the recommendation is contained in the extract which I have already read to the Committee.

37. Clause 16 is also a new clause, I think; what will be the effect of it?—The greater part of the clause is new. The object of the clause was to punish more specifically an offence to which attention has been called in a correspondence, which has recently passed between Sir Julius Vogel and the Board of Trade, on the subject of the "broaching," or pilfering, of cargo at sea. He called attention to the fact, that this offence has, in many instances, been probably the immediate cause of terrible disasters at sea, and special reference was made to the cases of the "Cospatrick" and the "Tweed."

38. Is that a correspondence which has been presented to Parliament, and, if so, what is the number and date of it?—Yes; the date is February 1877, and the number is C. 1682.

39. How would this offence now be punished?—It may be punished as simple larceny, under the Larceny Act, with five years' penal servitude, or two years' imprisonment; and it may also be punished summarily, under Section 243 of the Merchant Shipping Act, 1854, with three months' imprisonment.

40. But that section it is proposed to repeal?—That is the section which it is proposed to repeal.

41. This then, in fact, imposes a heavier penalty for broaching cargo, to meet such cases

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as have been referred to in the correspondence alluded to?—It places in effect the offence or stealing goods on board a ship, when on the high seas, on the same footing, and makes it punishable in the same way, as the offence of stealing goods from a ship whilst lying in a dock or harbour. By Section 63 of the Larceny Act, 1861, stealing goods from a ship whilst lying in a dock or harbour, may be punished with 14 years' penal servitude, and there seems to be no obvious reason why a distinction should be made between the two offences. I should add, that the penalty which may be imposed on summary conviction is to some extent a re-enactment of a corresponding provision in Section 243 of the Act of 1854. The difference between that provision and the provision of the present Bill will be understood better on reference to the next clause.

42. Now with regard to Clause 17, how far does that differ from the 8th sub-section of the 243rd section of the Act of 1854?—The 8th sub-section of the 243rd section of the Act of 1854 imposes a penalty on a seaman "for wilfully damaging the ship, or embezzling, or wilfully damaging any of her stores or cargo." The offence of embezzling has been dealt with by the previous clause of this Bill, consequently this clause re-enacts only so much of this provision as relates to "damaging," but it modifies it by adding to the offence that of "damaging by gross negligence," and by adding to the articles with respect to which the offences may be committed, the "tackle, apparel, or equipments of the ship," and "property belonging to the crew or passengers, or other persons on board." The penalties are the same, except that there is a clearer power to substitute forfeiture for imprisonment.

43. Clause 18 is new; will you explain that?—Clause 18 is substantially taken out of the Employers and Workmen Act, 1875, which enables a court before whom a dispute between a master and a workman, or apprentice, is brought to rescind the contract upon such terms as they think fit. It appears that there have been several recent cases which have shown that a power of this kind is much needed in the case of apprentices.

44. Now we go to the third and last head of the Bill, namely, payment of wages, Clauses 19 to 22 inclusive; are these clauses mainly the same as were in the Merchant Shipping Bill which was dropped in 1875, but passed through Committee?—They are mainly the same.

45. How far do they generally propose to alter the 187th section of the Act of 1854?—By Section 187 of that Act a seaman's wages are not required to be paid, in the case of a home-trade ship, until either two days after the termination of the agreement, or the time when the seaman is discharged, whichever first happens; in the case of all other ships (with certain exceptions) until three days after the cargo has been delivered, or five days after the seaman is discharged, whichever first happens. But it is provided that "the seaman shall, at the time of his discharge, be entitled to be paid on account a sum equal to one-fourth part of the balance due to him." The proposal of the present clause is that the time at which the wages shall become payable shall be the time at which the seaman quits the ship, and is thrown on his own resources, and that if not paid at that time the wages shall continue to run and be earned until the

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the time at which they are actually paid. But they are not to accrue where the seaman quits the ship without leave, and without sufficient reason, after her arrival in port, or where the delay in payment is not due to the fault of the owner or master.

46. The general effect of the alterations would be, would it not, to enable a seaman on lawfully quitting his ship, to get home at once?—It would.

47. What would be the effect of Clauses 23 and 24 relating to the entry of offences in the log, and how far do these two clauses change the 244th Section of the Act of 1854?—Clause 23 is merely explanatory. Clause 24 is new, and it to some extent gives effect to a recommendation contained in the Report of the Unseaworthy Ships Commission, to which I perhaps may refer. It is at page xiii., and the recommendation is this:—"The rule that any act of misconduct on the part of a seaman, if entered in the log, must be immediately read to the offender, is a contrivance so ill calculated to promote good behaviour that captains leave the offence unnoticed rather than resort to such a proceeding. We are of opinion that this rule should be modified." This clause was moved in pursuance of that recommendation as an amendment to the Bill of 1875.

48. What alteration does Clause 25 make as to smuggling in the 243rd section of the Act of 1854?—Section 243 of the Act of 1854 only applies to cases where the seaman has been convicted of smuggling. Again, this clause contains words which are intended to make it clear that the clause extends to smuggling in foreign as well as in English ports. With those exceptions the clause is a re-enactment.

49. What addition has been made by Clause 26 to the existing law relating to crimps?—The new clause alters the definition of the time before which unauthorised persons may not go on board a ship. By the existing law there is a penalty imposed on unauthorised persons boarding a ship about to arrive at the place of her destination before her actual arrival in dock or at the place of her discharge. Now, in a recent case which has been reported, the case of Attwood *v* Case, there was a prosecution under this section, which broke down amongst other reasons, because it was held that the ship had actually arrived in dock within the meaning of the section; and the new words, "Where a ship is about to arrive or has arrived at the end of her voyage" are inserted in order to meet that difficulty. At the same time the point of time before which an unauthorised person may not go on board, is more exactly defined by the words, "before the seamen lawfully leave the ship at the end of their engagement."

50. Do you wish to add anything further in connection with this Bill before I ask other Members of the Committee to put questions to you?—I think there is nothing else that I wish to add.

Mr. *Bentinck.*

51. I merely wish to ask you, if you will be good enough to explain, under the proposed Act, what will be the position of the seaman who fails to join his ship after signing articles, and what penalties will be resulting to him?—Civil proceedings may be taken against him under the

Mr. *Bentinck*—continued.

Employers and Workmen Act, 1875, for a breach of contract of service. Then if he has received an advance of wages, and brings himself within the provisions of Clause 5, criminal proceedings may be taken against him under that clause.

52. But if he has not received an advance of wages, criminal proceedings could not be taken?—If he was engaged in the United Kingdom.

53. Will you explain to the Committee what would be the position of the seaman who was absent without leave, and what would be the penalties he would be subject to for absence without leave within 24 hours of sailing?—Supposing the engagement to take place in the United Kingdom and the absence to be before joining, then he will only be liable to civil proceedings; but if the absence takes place after joining, then he will be liable to be punished for absence without leave. If the engagement takes place abroad, he will in either case be liable to be punished for absence without leave.

Lord *Eslington.*

54. I should like to ask, in reference to your last answer, how would you precisely define the phrase "joining the ship"?—I should be sorry to define it, but I should understand it as meaning, coming on board.

55. From the moment the seaman sets foot on deck he would be held, in law, to have joined the ship?—Yes. There are two descriptions of the point of time at which his new status begins; it begins either after he has joined his ship or after he has begun work, because, of course, he may begin work before he actually joins the ship.

56. That is rather an important distinction; you first said that his going on board would be held to be a joining of the ship; then it would not be necessary that he should have commenced work?—I apprehend that either joining the ship or beginning work would bring him within the provisions of the discipline clauses.

57. Do you consider that the fact of signing articles would imply that he had joined the ship?—I only speak from information as to the meaning of these nautical terms, but I was given to understand that signing articles would not be equivalent to joining the ship.

Mr. *Hamond.*

58. You would consider then that the actual joining of the ship is the seaman putting his foot on board the ship and commencing work?—That is the sense in which I understood the term.

59. Not the signing articles?—Not the signing articles.

Mr. *Bates.*

60. You say that a seaman putting his foot on board you consider to be a joining of the ship?—That is the sense which I should attach to the term myself, but I do not know whether I am right in so understanding it.

61. Are you aware that after a man signs articles he generally goes on board with his kit; he has put his foot on board then?—That may be so. I should not like to give a definite opinion as to the meaning of the term "joining the ship," but I should suppose that he had then joined his ship. But this would be a question of fact to be determined by the meaning generally attached to the term in the profession.

62. There

Chairman.

62. There is no definition of joining a ship?—There is no definition of it.

Mr. *Torr.*

63. Signing articles would bring him under the civil law, would it not?—It would; he would then have entered into an agreement.

64. And when he went on board he would have come under the criminal law?—Yes.

65. That is the distinction?—Yes.

Mr. *Plimsoll.*

66. I observe, from what you have said, that you have paid some attention to the conspiracy law, and also to the Employers and Workmen Act, and also to other changes in the law affecting the status of employers and employed. Is not the general effect of those legislative changes something like the following, as they regard workmen on shore; the abolition of the special penal laws affecting workmen; breach of contract of service made civil offences instead of criminal; and the abolition of the conspiracy law, as applied to labour disputes?—I should prefer to say the modification of the law of conspiracy with respect to labour disputes; but, with that exception, I think that is substantially the effect of the legislation.

67. Which of the Acts of 1875 was it that abolished imprisonment for breach of contract; the Conspiracy Act, or the Employers and Workmen Act?—The two conjointly. The Conspiracy Act repealed specifically a number of Acts under which a workman might be sent to prison. The Employers and Workmen Act, whilst restoring the magisterial jurisdiction over disputes between employers and workmen, so modified the procedure that a workman could not be sent to prison for breaking his contract, except under special circumstances.

68. I do not know whether you are aware that, owing to the employment of skilled labour on board ships, such as engineers and others on steam vessels, the summary powers of arrest occasion the utmost possible indignation and dissatisfaction; how many people are there connected with each ship who may, without warrant, arrest an engineer, for instance, or a number of engineers?—The power of arrest, without warrant, is conferred on a master, mate, owner, ship's husband, or consignee of the ship.

69. I do not know whether it would be in order to ask you your opinion of that; but it evidently points to a wonderful difference between the laws that relate to workmen at sea and those that relate to workmen on shore?—No doubt this is an exceptional provision.

70. But under this Bill, if it becomes law, no arrest whatever without warrant can take place until the man has joined his ship?—It cannot.

71. Do you think it ought to take place then in England?—That is a question of policy on which I suppose I ought not to express an opinion. Perhaps I may amend my previous answer by adding, "until after a seaman has joined his ship or begun work."

Mr. *Ashley.*

72. In one of your answers you said that the neglecting to join was confined entirely now to civil remedies; now, supposing you took it as a matter of fact that advances were almost universal, should you, taking that as your basis, as

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a matter of fact, still adhere to the statement that under this Bill neglecting to join was entirely confined to civil remedies?—I think I qualified my answer by reference to Clause 5.

73. But taking it as a matter of fact that advances are almost universal, would you still say that neglecting to join under this Bill was entirely confined to civil remedies?—There would always be a criminal liability under Clause 5, in cases where a seaman has received an advance, and then wilfully and without reasonable cause neglects or refuses to join.

74. Now can you tell me any analogous provision at all to Clause 5 in any other legislation?—There is a clause very like it in the German Criminal Code.

75. But not in the English Criminal Code?—No; and I am not surprised that there is not, because the English law is singularly defective on the subject of what we may call fraudulent breach of contract. There are a great many cases of breach of contract which are not hit by the English Criminal Law, and which might perhaps be hit with advantage.

76. Now I want to ask you on one small matter here in the schedule; it repeals "so much of Section 13 of the Employers and Workmen Act, 1875, as is inconsistent with this Act;" and if we turn to Section 13 of the Employers and Workmen Act, we find that there are two paragraphs in that section, the first of which is, "Nothing in this Act shall take away or abridge any local or special jurisdiction touching apprentices;" now I want to ask you whether you consider that first portion of the clause repealed as being inconsistent with the Act?—I believe that that saving has special reference to a jurisdiction of the Chamberlain of the city of London with respect to apprentices.

77. It was put in with a special purpose, I understand you?—It was put in with a special purpose.

78. Now I want to ask you a question about the log-book; you read a paragraph from the Report of the Royal Commission which recommended that the master should be absolved from reading out the entry in the log-book to the crew?—I did.

79. Will you tell me how Clause 24 of your Bill absolves the master from that obligation?—It does not, because it was thought undesirable to take away the only trustworthy evidence which exists under the present law of an offence having been committed. It was thought that the requirement that an offence should be entered at the time when it was committed was in effect a protection to the seaman, as without that evidence taken at the time no proceedings could be taken against him. So that all this clause does is to enable a master to erase the invidious entry.

80. But as I understood the recommendation you read, it was that the entry should be made when the offence was committed, but that it should not be read out to the culprit; would not the evidence be sufficient by the mate witnessing it; however, not to press you upon the point, you have not provided for absolving the master from reading out to the crew the entries which he makes.—The Bill does not absolve him.

81. You only provide that he may erase them afterwards?—Yes.

82. About "broaching" cargo, I see that with reference

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Mr. *Ashley*—continued.

reference to the clause which you have inserted to deal with broaching cargo, you refer to Section 243 of the Merchant Shipping Act, 1854; I do not know whether you read it as such, but I rather read it that in the Merchant Shipping Act, 1854, there is no provision made for what you call broaching cargo at all?—None whatever.

83. So that up to this time there has been no legislation specifically directed against that?—None; it could be punished under the Larceny Act, but not under any special provision. The Larceny Act is an Act of 1861.

Mr. *Gorst.*

84. Which sections of the Conspiracy Act and the Employers and Workmen Act are inapplicable to merchant seamen; you mentioned Section 4 of the Conspiracy Act; that relates only to the workmen employed in the supply of gas and water?—Section 4 is inapplicable. Section 5 is applicable, but I apprehend that it would be easier to proceed against a seaman under Clause 11 of the Bill.

85. Section 5 is applicable, you say?—Yes.

86. Is Section 6 also applicable; supposing there was no other law?—Section 6 is applicable.

87. Is there any other section of the Conspiracy Act which you can mention besides Section 4, which would not be properly applicable to merchant seamen if there were no other law?—Section 17 is, from its nature, inapplicable; the repealing section.

88. Can you mention any other?—No; I think no other.

89. Now, may I take it that Section 5 of the Conspiracy Act would make a very proper and sufficient provision, that it would be a very proper law for merchant seamen to be subject to?—It is a very reasonable law, no doubt.

90. And very much like the law in the Merchant Shipping Act?—It resembles Clause 11, but Clause 11 of the Bill is more specific in its nature.

91. But am I right (I am asking you as a draughtsman) in saying that an offence against Clause 11 of the Bill would be also an offence against Section 5 of the Conspiracy Act, speaking generally?—Supposing the Conspiracy Act applied, you mean.

92. Supposing the Conspiracy Act applied; I am only asking you generally?—Generally, I think, it would. But you will notice that Clause 11 applies to a seaman or apprentice who does these acts, or is guilty of these omissions, "by wilful breach of duty, or by neglect of duty, or by reason of drunkenness." Those terms are much wider than the corresponding terms in Section 5 of the Act of 1875.

93. Neglect of duty and drunkenness are specified in Clause 11?—Yes.

94. Now will you turn to the Employers and Workmen Act, and point out to the Committee any clause in the Employers and Workmen Act that would not be a fit clause to apply to merchant seamen?—Speaking generally, the whole Act is applicable to seamen.

95. Now do I understand you rightly that, under this Bill, a seaman, up to a certain time, is to be within the provisions of these two Acts?—Up to a certain time, he is.

96. And then upon the happening of some particular event he loses his status?—He does.

Mr. *Gorst*—continued.

97. Now, speaking as a draughtsman, is it not an extremely difficult thing to give any definition in a Bill which will fix precisely the moment at which he will lose his status?—It might be difficult to describe with accuracy the exact point of time.

98. Do you not think it probable that, whatever words you used, whatever words the Committee put into the Bill to define the moment, they would give rise to a great many contentions in courts of law?—I think terms could be found which would define the period with sufficient exactitude to prevent questions being raised.

99. The text of the 5th clause of the Bill goes a great deal beyond absconding with wages; but I see the marginal note upon the clause is "Penalty for absconding with wages"?—It does, no doubt, go beyond that.

100. Am I right in saying that the marginal note does not very accurately describe the contents of that clause?—I think the marginal note should be made more general in its terms.

101. Did I rightly understand you to say that civil remedies were impossible abroad; the Chairman put a question to you to that effect, I think?—I do not think I committed myself to that statement.

102. I suppose in most cases civil remedies are possible?—It is difficult to say what the proceedings are in foreign ports, but I have no doubt that a civil remedy is possible. It is so in the colonies, certainly, and elsewhere probably.

103. I want to ask you, as a draughtsman, a question on Clause 12; the offence described in Clause 12 is, according to this Bill, an offence only when committed by a seaman or apprentice?—That is so.

104. If a passenger, or other person not within the definition of "seaman or apprentice," were to commit mutiny on the high seas, he could not be punished under that clause?—He could not.

105. Are you aware that a mutiny, whether committed by a passenger or by a seaman, is punishable by the ordinary criminal law of the land?—I do not think that mutiny as such, and by that name, is an offence punishable by the general criminal law.

106. It may be punished under the name of piracy, may it not?—It may be punished under the name of piracy.

107. By whomsoever committed?—By whomsoever committed. But perhaps I may say that a provision applicable to persons other than seamen or apprentices would not be in its place in a group of clauses dealing exclusively with seamen or apprentices.

108. Now, again, let me call your attention to Clause 16; I do not know whether you are acquainted with the contents of Sir Julius Vogel's letters, but is not the offence of breaking into the hold and stealing cargo often committed by the passengers on board emigrant ships, as well as by seamen?—I believe that is so.

109. Would Clause 16 render passengers who broke into the ship's hold, or stole the ship's cargo, liable to punishment?—Not under this clause.

110. Perhaps this is a matter of opinion, but do you not think the offence just as heinous when committed by a passenger as by a seaman?—That is a matter of opinion.

111. Under what law would the passenger be liable

Mr. *Gorst*—continued.

liable?—He would be liable under the Larceny Act.

112. I think you said that under the Larceny Act a seaman would be only liable to five years' penal servitude?—I think it is five years' penal servitude.

113. Would not the larceny be larceny by a servant, and would he not, as committing larceny as servant, be liable to 14 years?—I had not specially considered that point, but I think it is possible that he would.

114. If that was the case, the clause would merely make him liable, would it not, to the same punishment to which he is liable now by the ordinary criminal law?—It would make the description of the offence more specific.

115. But it would only render him liable to the same amount of punishment?—If so, that would be the effect.

116. Now as to Clause 18, if the Employers and Workmen Act applied to seamen always, Clause 18 would become unnecessary, would it not?—It would.

117. Now I am asking you this question as a draughtsman, and not as a question of policy; speaking as a draughtsman, do you see any difficulty in applying the Conspiracy Act and the Master and Workmen Act to seamen always, and rendering them liable to special provisions in relation to discipline during the time that they are at sea?—Speaking as a draughtsman, I do not.

118. Or during a time to be defined in the clauses in the Bill?—I do not.

Mr. *Macdonald.*

119. With reference to Clause 5 of this Bill, which is stated in your note upon it to be a new clause, is there any clause similar to this, or having any powers like this, in the common law in respect to workmen in any other trade or occupation?—I am not aware of any.

120. This then is an exceptional mode of legislation?—It deals with seamen in an exceptional manner, as they are dealt with exceptionally under the existing law.

121. You are probably aware that it is quite common to make advances of money in various trades and occupations throughout the country, and yet there is no such provision in any known statute, in this country at least, which would lead a man to be so treated who did not enter upon the obligation, because he received money?—I am not aware of any such enactment.

122. You are quite clear upon that point?—I am.

123. Could you tell us exactly what the clause is to which you refer in your note; have you that clause of the German code before you which you say is analogous?—I have not it here, but I think it is drawn in general terms; I cannot remember the exact terms with sufficient accuracy.

Mr. *Gourley.*

124. What are the reasons for Clause 16; have you based this clause upon any knowledge derived from returns of charges against seamen?—The clause was based generally on the correspondence between Sir Julius Vogel and the Board of Trade, to which I have referred.

125. Are you not aware that the great bulk of cargoes which are broached is generally stolen by stevedores, either in the docks in this country or when the cargo is being loaded, and not by the seamen?—I was not aware of the fact.

Mr. *Gourley*—continued.

126. You have no other evidence of the offence for including this clause, than the correspondence between Sir Julius Vogel and the Board of Trade?—So far as I know, as the draughtsman, the clause was based on that correspondence.

Lord *Eslington.*

127. Should I be right in supposing that the words at the commencement of Clause 5, "Where a seaman, or apprentice to the sea service, has received money on account of wages payable under an agreement," would cover the receipt of an advance note?—They would cover the receipt of money under an advance note, I apprehend. I do not think it is clear that they would cover the receipt of an advance note itself.

128. Then an advance note would not be taken to be the receipt of money?—I apprehend that an advance note is an agreement or promise to pay money, not money itself.

Mr. *Macdonald.*

129. Would it be payment?—No; but if the advance note was cashed, that would be payment.

130. Then supposing the seaman receives an advance note before he joins the ship, and that advance note were cashed immediately, even before he joined the ship, would he then become liable for fraud under this fifth clause?—I apprehend that he would.

131. So that, virtually, in that form the granting of the advance note and the giving of money, would really become convertible terms?—Nearly, but not quite.

132. But immediately after the granting of the note, say in a minute, the note was cashed by the seaman; would not they therefore become immediately practically convertible terms, the note and the money?—Then the seaman would have received money payable under an agreement.

Mr. *Gorst.*

133. As I understand, what you mean is this, that if a seaman gets any money either directly from the person who engages him, or as cash upon an advance note, he then becomes liable to imprisonment, if he wilfully and without reasonable cause refuses or neglects to perform his agreement?—That is so.

Mr. *Hamond.*

134. Under Clause 5, has the person who cashes the note power to take proceedings against the seaman?—There is nothing to prevent him.

Chairman.

135. You have said that this was an exceptional treatment of seamen; is there not something exceptional in the offence, under these circumstances, unlike any similar absconding with wages?—Of course there is a difference between the circumstances of the engagement of a seaman and the circumstances of the engagement of an ordinary workman.

136. If it was a similar offence it might be treated as taking money under false pretences or,

Mr. *Ilbert.*

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Chairman—continued.

embezzlement, but is there not something exceptional in the circumstances of his offence which requires an exceptional treatment?—One may be justified in considering the position of the seaman altogether as exceptional.

Mr. *Macdonald.*

137. But is not any trade carried on in whatsoever manner it is carried on, in itself exceptional from all other trades and occupations?—There are differences of circumstances in each trade, which may justify exceptional legislation in each case.

138. Which might, in ordinary circumstances, justify exceptional legislation in each case?—Which might.

Chairman.

139. There is no case in other occupations whether a man can abscond with wages and disappear at the other end of the world at the same time, is there?—It is possible that a seaman has greater facilities for absconding with his wages than the ordinary workman.

Lord *Eslington.*

140. I want a little more explanation in regard to Clause 26, which we will call, for the sake of

Lord *Eslington*—continued.

description, the Crimp Clause; can you describe to the Committee the cause of the break down, as it were, of the present law in the prevention of crimps taking possession of the deck of the ship; there is a hitch, I believe, which this clause is intended to correct?—The hitch is this: there is a penalty imposed on an unauthorised person for boarding a ship before her arrival in dock, or at the place of her discharge; but there is some difficulty in ascertaining what point of time is intended by that description; and in the recent case to which I have referred, the defendant got off in consequence of a difficulty of that kind; and the object of the clause is to make the point of time before which boarding by unauthorised persons would be illegal and punishable somewhat more clear.

Mr. *Ashley.*

141. Looking at Clause 5, do you think that under that clause it is necessary that the seaman or apprentice to the sea service, should receive the money directly from the master or the owner; would not that clause be applicable also, if it were desired to make it so, to money received from a crimp?—I think it would; in that case, I apprehend, he would defraud the crimp.

Tuesday, 5th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.
Mr. Bates.
Mr. Bentinck.
Mr. Thomas Brassey.
Mr. Burt.
Mr. Dalrymple.
Lord Eslington.
Mr. Gorst.
Mr. Gourley.
Mr. Shaw Lefevre.
Mr. O'Shaughnessy.
Mr. Plimsoll.
Mr. Charles Wilson.

THE RIGHT HONOURABLE SIR CHARLES BOWYER ADDERLEY, IN THE CHAIR.

Mr. COLBY ATKINSON DAVIS, called in; and Examined.

Mr. *Davis.*

5 March 1878.

Mr. *Gorst.*

142. WILL you tell the Committee what you are?—Secretary to the Plimsoll Seaman's Defence Association, Hull.

143. Were you formerly Surveyor of Customs?—I was.

144. For how many years have you interested yourself on behalf of seamen?—For above 20.

145. Will you tell me whether, in your experience, cases of wilful desertion are very frequent?—Not wilful desertion; accidental desertion.

146. Will you explain to the Committee what you mean by accidental desertion?—Neglecting to join the vessel at the time when she is about to sail; at or about the time that the vessel is about to leave the docks.

147. Are men at Hull usually engaged some time before the ship leaves?—Sometimes they are engaged several days before the ship sails, and told to be on board, perhaps, in two or three days, at a certain time in the morning, by a certain time of tide; others engaged, perhaps, the day before.

148. Then if the man goes down at the time he is ordered to join will he always find the ship ready to go to sea?—No.

149. Are the men put off then from day to day?—They are put off from day to day in many instances.

150. The ship not being loaded?—The ship not having finished loading.

151. Then when the day comes that the ship really goes to sea, if they are not there they are then charged as deserters?—They are.

152. In your experience is it a common case that the not proceeding to sea has been accidental?—It is quite common that it has been accidental. *Wilful desertions one very seldom* indeed hears of. Wilful desertions we consider deserves punishment, but not to the extent that has been practised.

153. Is it the custom in Hull for the seamen often to find their own provisions for the voyage?—Unfortunately, it is so; and in other ports as well, I believe.

154. Then after the seaman has signed articles does he obtain an advance note?—He obtains an advance note.

155. And does he with the proceeds of that advance note purchase clothes and provisions for the voyage?—Yes, as soon as he can possibly get the note cashed.

Mr. *Gorst*—continued.

156. I suppose those clothes and provisions are very often put on board a day or two before the ship sails?—Yes; as soon as ever he can get his note cashed, and can buy the things, his clothes and provisions are put on board.

157. Have you known cases where men have put their clothes and provisions on board, and then, from accident, have not proceeded to sea in the ship?—Yes, several.

158. And have the men in such cases been charged as deserters?—Yes.

159. And sent to prison?—Yes.

160. When they have actually lost the clothes and provisions that they had put on board themselves?—Yes; and in several instances, when the man has belonged to our society, and I have found that it has been perfectly accidental, and the clothes and provisions have been taken away, we have retained the man until the vessel's return, and demanded wages up to the time that the vessel has been away, and have succeeded in recovering them before the magistrates.

161. In other cases the men have gone to prison as deserters?—Yes; and their clothes have been retained in some of the shipowner's places, and they have never got them again.

162. I believe, according to the law, if a man is a deserter he forfeits his clothes and effects?—Strictly speaking, he does, and we consider it most arbitrary that he should be punished in two ways, as he is in that case.

163. Let me see that I quite understand you: if a man has put his clothes and provisions on board a ship, and by accident does not proceed to sea in her, according to the present law he first of all forfeits the clothes and provisions which he has so put on board, and then he is liable to be sent to prison for desertion?—He is, which we consider most cruel.

164. You do not think that a fair and equitable law?—Certainly not.

165. Now, who is it that generally puts the law in motion against the so-called deserters?—Unfortunately in Hull we have two persons employed, or rather licensed, by the Board of Trade for the shipment of seamen other than the proper officers of the Board of Trade; and it is through those men, and those only, that the imprisonment has

Mr. *Davis.*

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Mr. *Gorst*—continued.

has taken place in 19½ cases out of 20; and since January the Board of Trade, I hear, have not granted the licenses to those two men again, and we find no imprisonment for desertion taking place since that time.

166. Now, these men, I suppose, cash advance notes?—I do not think they cash advance notes, but they give them the advance notes, and they are paid the shipping fees, and so forth, and other little matters which, I believe, are not exactly straight.

167. You say it is through these men chiefly that the law is put in motion?—Yes.

168. Not through the shipowners?—Not through the shipowners. There have been such cases. In the case of two or three shipowners, their manager has done so, but it is not general; but it has been put in force by this man, I am quite clear, without the knowledge of a shipowner, who has had a great many men put into prison.

Chairman.

169. Will you name the two persons?—Richardson and Newton; and at the same time I should wish to hand in the advance note that is printed by the Board of Trade, or rather a licensed agent of theirs, for the inspection of the Committee. At the bottom there is an advertisement (*handing the advance note in*).

Mr. *Gorst.*

170. "Licensed by the Board of Trade to ship seamen and firemen"; so that Mr. Newton covers himself by the name of the Board of Trade?—And he supplies seamen with ship chandlery, and surveys vessels.

171. Do you recollect a recent case in Hull of a ship hoisting falsely English colours?—Yes.

172. What was the name of that ship?—The "James L. Pendergast."

173. How long ago is it since that ship was in Hull?—September 1874.

174. Had she an English or a foreign master?—She had an English master, and she had also a foreign master and a foreign mate on board.

175. Was the English master a real or a sham master?—Sham; for the purpose of clearing her, and enabling her to sail under the English colours.

176. Will you tell me what was done to that English master before the ship sailed?—The English master, whose name was Adams, reported to me that the vessel was dangerously overladen; she was laden with coals bound to Rio Janeiro, and he said that he would not go to sea in her unless some of the coals were taken out. Because of his refusal to go to sea in her, the shipchandler, whose note I have handed in, took a police constable on board when the vessel was in the roads, and arrested the master of that vessel, and put him into the police station, and he was locked up all night and charged with desertion.

Chairman.

177. Which master was that?—Adams; he was the actual master. On the Customs' clearance he was engaged to go as master of the vessel, but really it was merely as a master to cover the vessel; he was arrested and put into a police station, and the next morning he was brought before the magistrates and charged with desertion from his vessel in the river, and his clothes

Chairman—continued.

had been brought on shore, and he was penniless. The magistrates discharged him. I did not know anything at all about it till after it was over. A police constable brought him to my office, and I paid his court fees, I think it was 3*s.*, which they insisted upon his paying on his liberation. We suggested proceedings against this ship-chandler, but unfortunately the man was so overwhelmed with trouble, and his prospects destroyed, that he failed to keep his appointment in carrying out that action.

178. Was another master shipped in his place?—To get the vessel away another master of a vessel was obtained to do the same thing; and I have here the actual agreement made with that master to take the vessel out to Rio Janeiro only, and there leave her, though she was bound away further on her trading voyage, for the sum of 60 *l.*, which the agent obtained, for a fresh captain to take charge of her and take her away.

Mr. *Gorst.*

179. And the agreement with the master was only to take her to Rio Janeiro?—To take her away to Rio Janeiro. There an excuse was to be made that he was ill, so as to get clear of her before the consul. The consul very properly objected to allow him to go away. However, they managed it between them, and away went Mr. J. F. Bates, of America, in charge of an English ship, and an uncertificated master and mate on board of her. She is trading yet, I believe, under the same colours.

Mr. *Wilson.*

180. Was it Mr. Newton who was concerned in this case?—Yes.

Mr. *Gorst.*

181. Will you tell the Committee the case of the brig "Expert," in 1873?—In the case of the brig "Expert," in 1873, three men that I had to do with refused to go in the vessel because she was unseaworthy. They were taken before the magistrates, and the magistrates remanded them to prison until the vessel was surveyed by a Board of Trade surveyor. There the men, on the morning before they were brought from prison, after suffering various indignities, were actually passed through a bath just before they came out of prison; and when brought before the magistrates about two or three hours afterwards, the man who gave honest testimony as Board of Trade Surveyor, declared it to be unseaworthy, and the men were discharged without any recompense whatever. That is one of the cases which we say that the Legislature should put a stop to.

182. You may be wrong, but I suppose you think that being discharged without a recompense is not sufficient to satisfy a man for having been arrested and sent to prison, and bathed and treated like a felon?—Certainly not, because he has lost his ship, and then he has to seek another; he ought to be fully recompensed when it is proved to be true that the ship is unseaworthy.

183. Now will you tell the Committee the case of the "Viceroy"?—In the case of the "Viceroy" the principal portion of the crew were advised not to go to sea in the vessel, and they were warned that if they did, they would lose their lives.

184. What

Chairman.

184. What is the date of this?—1875.

Mr. *Gorst.*

185. I suppose if those men had refused to go to sea, they would probably have been treated like the men of the brig "Expert"?—That is what they were afraid of; and the poor young fellow who was mate of her, and whose father had been manager of one of the largest ship firms of Hull, and had only very shortly before been married to his young wife, was advised by myself not to go to sea in her, for if he did he would lose his life; and he said that they would put him into gaol if he refused to do so, and his prospects for life would be injured for ever by his having been once stained with prison.

186. Did the ship go to sea?—She went to sea, and a very few hours afterwards she was down at the bottom and every soul perished. I saw the vessel myself before she sailed, and regret very much that I did not give my evidence; but I thought I might be deemed a partisan of the seamen, and therefore I refrained from that. She was totally unfit to go to sea, and it was a disgrace that ever she was sent out of the port of Hull. Twenty-three souls perished in that case.

187. Is it rather a dangerous thing to give evidence in these sort of cases?—Unfortunately it is.

188. Do seamen who give evidence, or mates of vessels who give evidence, ever suffer for it afterwards?—They do.

189. In the case of this very ship, the "Viceroy," was there a case of a man suffering from the evidence which he gave?—One of the men, an independent seaman, who had been asked to go in the "Viceroy," went to look at her, and he saw for himself, and would not go to sea in her, and he came forward to give evidence as to her unseaworthiness.

190. In a Board of Trade inquiry, do you mean?—In a Board of Trade inquiry.

191. Did he give evidence at that inquiry that she was unseaworthy?—He did; and he unfortunately went to sea again in one of the same owner's vessels, and whilst he was at Cronstadt it appears that he had been merely laughing at the master of a vessel alongside who had been notorious for certain transactions, and the next day he was arrested by the Russian police and taken before the Russian authorities from an English vessel, and was sentenced to 21 days imprisonment.

192. In a Russian prison?—In a Russian prison.

193. Was that a Russian or an English vessel?—An English vessel, under the English flag; and whilst he was in the court, after he had been sentenced, he sat down behind the court, and saw an opportunity, and very gently walked out and pulled the door after him, and ran away, the soldiers following after him with muskets, and so forth; he got away, and got aboard of his own vessel, and was advised by one of the officers to get on board immediately of another Hull vessel that was just coming away.

194. Ultimately he got back to Hull, I believe?—Yes.

195. What happened to him when he got back to Hull?—The owners were telegraphed to, and he came to my office immediately he arrived, and reported himself, and told me the circumstances, and I advised him, hearing that there was a warrant out for his apprehension, to give himself up directly and have the case investigated; and we employed a solicitor to defend him.

Mr. *Gorst*—continued.

196. What was he charged with?—Wilful desertion; absconding from his vessel.

197. Was he found guilty?—He was found guilty, and sentenced to five weeks imprisonment, and the owner of the vessel gave evidence against him himself; I caused the owner of the vessel to be summoned.

198. Now is there another case that you can tell me of, a recent case of the "El Dorado"?—In the case of the "El Dorado," the Board of Trade inquiry has just been finished.

199. In that Board of Trade inquiry which is just finished, did the chief mate of the "El Dorado" give evidence?—He did, as to the unseaworthiness of the vessel and the drunkenness of the master.

200. What was the result of the Board of Trade inquiry?—That the certificate of the master was cancelled, and justly so.

201. Then the evidence of the chief mate was in fact in accordance with the ultimate finding of the court?—Yes; it was fortunate for us that we had a Commissioner down to sit upon the Board of Trade inquiry.

202. What Commissioner had you?—Mr. Rathery.

203. Then this chief mate's evidence was in accordance with Mr. Rathery's ultimate finding, was it?—It was.

204. Has that chief mate found any difficulty in getting a berth in consequence of giving that truthful evidence?—He did; he applied for a berth as second mate of a vessel, and he was asked the question whether he was not the same man that had given evidence against the captain of the "El Dorado," and he said he was; "then," said the other, "you will not do for me," and he refused to take him. But this, I say, that the owners of that vessel knew nothing whatever about such a transaction.

205. Do I understand you, then, to say that this chief mate was refused a berth expressly on the ground that he was the man who had given this evidence?—Exactly so.

206. Can you tell the Committee the case of the "Derwent"?—The case of the "Derwent" was in 1875. The seamen of the "Derwent" were advised not to go to sea in her.

207. On what ground?—That she was unseaworthy; and they having the cases of those men of the "Expert" before their eyes, said: "What are we to do? If we do not go to sea we shall go to gaol; we will go and make the best of it." They were afraid of the gaol; afraid of being arrested.

208. Did they go to sea?—They did.

209. What was the end of the "Derwent"?—The end of the "Derwent" was that she had to be put back; after being out a few hours outside the Spurn she came to Grimsby.

210. Was there a Board of Trade inquiry?—No, not a Board of Trade inquiry; a prosecution against the owner of the vessel, who got acquitted at York in consequence of his statement that he was inexperienced, and knew nothing at all about a vessel; that he did not know whether she was unseaworthy or not, and so forth. Any persons who had seen that vessel before she went away to sea and when she arrived, would not have entrusted their lives to her.

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Mr. *Gorst*—continued.

211. Do you find, then, that the threat of imprisonment does operate upon seamen to make them go to sea in unsafe and unseaworthy ships?—It does, because it throws them into debt as well. They have had their notes cashed, and if they do not go to sea in those vessels then they have that money to refund, and it distresses their wives and families considerably, in the case of those that are married men, by reason of their having to repay the loss as well as to undergo the imprisonment.

212. Will you tell the Committee the case of a man named Livingstone, carpenter of the "Slieve Bloom"; was that a ship that went from Hull to Wales?—Yes, to be repaired.

213. And then from Wales to Aden?—Yes, to Aden with coals.

214. Was Livingstone her carpenter?—Livingstone was her carpenter.

215. What did he do during the voyage?—The outside of the vessel from her copper was left uncaulked, and he was employed to caulk that vessel at sea on a stage, while she was on the way.

216. You mean a stage slung over her side?—Yes.

217. And he caulked her from her copper upwards?—He caulked her from her copper upwards; waterways and decks.

218. What happened to him on his arrival at Aden?—He kept a log of how much water the vessel made during the time, and what work he had done, the treatment that he had received, and so forth. After being in Aden for some time, the master of the vessel found fault with him, saying that he was not caulking the vessel quick enough, and he said that he was, he was doing his work as a workman; and the captain ordered him to be put in irons directly; and he was put in irons and kept there, I believe, upwards of 46 hours.

Mr. *Gourley.*

219. Where was this; at sea?—On board; abroad.

Mr. *Gorst.*

220. Was he then forcibly discharged?—He was then threatened with imprisonment for refusing to do his duty, if he did not agree to be discharged. For a month or six weeks after that he states that he went on with his work as usual, but he was eventually forcibly discharged, and the pay of his wife was also stopped; he had left her an order for 3*l.* a month; that was stopped from the time that the captain supposed he was going to discharge him. He was sent home by the Consul, an account of wages given to him, and a balance of his wages up to the time of his discharge was not paid to him, but was given to the master of the vessel to pay him when he arrived in Southampton. He was put on board as a distressed seaman, and sent home under that curious law, the Distressed Seamen's Act. When he arrived at Southampton, the money for his keep was actually stopped from his small amount of balance, and he was given the remainder to get home the best way he could; and he supposes, and very justly so, as he says, that it was in consequence of his keeping that log of the water the vessel had made, and of the work he had performed, that he had received this treatment at the hands of the master.

221. That was what he suggested as the reason of the treatment he received?—Yes.

Mr. *Gorst*—continued.

222. I want to ask you now one or two general questions; do you know any reason why seamen should not be put upon the same footing as other workmen in the country; I mean in respect of their engagement?—I say that seamen ought to be put on exactly the same footing as an English workman engaging to serve a master, and who works for him in the ordinary course of business.

223. I suppose that when a ship is actually at sea you admit the necessity for the rules of discipline, and the observance of those rules?—By all means; the strictest discipline ought to be kept on board a ship; not arbitrary discipline, not knuckledusters, and handcuffs, and revolvers.

224. I suppose, in your judgment, the object of discipline should be the preservation of the safety of the ship, and all the lives and property on board?—Certainly.

225. And proper laws ought to be made for securing that safety, and those who break those laws should be punished for breaking them?—Yes.

225*. From the captain down to the apprentice?—From the captain downwards, including the captain himself especially; the laws are not half stringent enough for the master.

226. Now, do you think that if ships were seaworthy, and reasonably good provisions were put on board, and reasonably good accommodation found for seamen, you could get people to go to sea without the threat of imprisonment?—Certainly; they are driving all the English sailors away from Hull by the treatment they receive, and we are now manned by foreigners. If you go round the shipping offices of Hull you will find that 19 or 18 out of 20 are foreigners.

227. Do you find, then, that Englishmen object to be put in prison in this arbitrary manner which you have described?—It ruins them completely, and particularly married men; they happen, through sheer negligence sometimes, to neglect joining their vessel.

228. You think that a man should not be sent to gaol for merely being careless?—No; I should like him to be brought before a Board of Trade shipmaster, and an inquiry made before he was taken into custody.

229. I suppose that if a man, through carelessness and negligence, was to endanger the safety of the ship, or the life of any person on board, there would be no objection to severe punishment then?—No; the severest punishment is due to such a man.

230. But negligence which does not involve danger to life or property, you think, ought not to be so severely dealt with as it is by imprisonment?—Certainly. There is not another law in the kingdom for a man to be able to be arrested without a warrant and charged, for a matter of five or ten minutes, with wilful desertion.

231. Do you think that the effect of the present state of the law is to deteriorate the character of seamen?—Certainly. We are losing our best men. They are going into the American service and all the other services, and when you want British seamen you will not be able to find them.

232. Do you know whether in America seamen can be sent to gaol in the same manner as they can in England?—No, we do not hear of that. As to the crimping system, I should have liked to have said a word or two about that; I mean the allowing parties to go on board a ship. I should like

Mr. *Gorst*—continued.

like in the proposed legislation to include particularly tailors' runners. They are the worst class of men that can go on board a ship; it is through them that the men are caused to lose a great part of their wages.

233. You are now speaking of ships that have come home?—Yes; ships that have come home. A number of tailors' runners go on board to sell them clothes.

Mr. *Plimsoll.*

234. Before you leave the subject you were on just now, let me ask you this: I believe that these exceedingly severe laws are the resource of the least respectable and careful shipowners; that is to say, that respectable shipowners who look well after the comfort of their men do not find it necessary to use these severe laws?—Certainly not. I believe that if we applied to the principal shipowner in Hull (and, in fact, I have done so), he would not allow such proceedings to be taken.

Mr. *Gorst.*

235. Now, you were speaking about the mischief done by crimps; who do you say are the worst kind of crimps?—The worst kind of crimps are the tailors' runners. They go on board the vessels, and they take the men grog whilst they are at work getting the ship into dock. Just at the time when all the men's wits are required, they ply them with drink; then they give them an order for clothes as soon as ever the drink is in them. They will give them a few shillings, and a man loses pounds and pounds of his wages because of his neglecting his duty; and just at that time he may leave the ship and an accident might occur to the vessel, and the owner's property be destroyed. Therefore, you should include every person going on board of a ship to solicit orders for anything whatever for 24 hours after the vessel's arrival, and then you will put a stop to that.

Mr. *Bentinck.*

236. I understand you to say that the present state of the law is driving away English sailors from the port of Hull, and that foreigners are engaged in their place?—Yes, it is so.

237. But is not that also to be ascribed to the fact that foreigners ship for smaller wages than Enlishmen?—No, I cannot say that that would be the cause principally. Unfortunately, the shipping of seamen can be managed by the shipchandler at a cheap rate against our English sailors, but they could not be got at that rate, nor the alteration made in our wages, if we had only a shipping master of the Board of Trade; an official such as Captain Corlass.

238. That was not the object of my question. I understood you to say that the present state of the law drove English sailors away from Hull, and that in consequence of the deficiency of English sailors foreigners were engaged?—Yes, so far as our Hull seamen are concerned.

239. Then the foreigners are engaged in consequence of a deficiency in the number of English sailors to be had?—Just so.

240. And not in consequence of the foreigners shipping at lower wages?—I believe not; not to my knowledge.

Mr. *Burt.*

241. I understood you to express the opinion

Mr. *Burt*—continued.

that it is not at all necessary there should be any distinction between seamen who make contracts and other classes of workmen connected with the land?—Certainly not as to an agreement to serve.

242. Do you think that after the seaman has once begun his employment after he has joined his ship, it is necessary there should be a distinction?—There should be a distinction, but not the punishment, that is at present carried out, of imprisonment.

243. You would still make it a civil case?—A civil case. I would not make it criminal if a man, neglects his work. If a man is a journeyman, or a carpenter, working in a yard, a master does not put him in prison; he has no power to put him in prison for losing a day or half a day; but here, with a sailor, the moment he leaves his vessel without leave he is sent to prison.

Mr. *Wilson.*

244. You have said that the present state of the law drives English sailors away; do you say that as to Hull in particular, or generally?—I say Hull; that is so at Hull in particular.

245. Where does it drive them to?—Into the American service.

246. Who takes their place?—Foreigners.

247. Are not foreigners under the same laws as the English sailors?—Yes.

248. How is it that foreign seamen take their place, and the English seamen go into the American service?—Because there are seamen of all nations now; and in some employment, so long as there is the name of a sailor he will do.

249. But if these English seamen are replaced by foreigners who are under the same laws as English seamen, but the English seamen go and take service under foreign laws, that seems a great anomaly?—Yes, but with the foreign seamen they will principally stop on board, and live on board, whereas the English seaman has a residence, say in Hull; and therefore the English seamen are more likely to commit slight errors than the seamen who will live on board of a ship. A foreigner will live on board a ship on two biscuits, where an English sailor will want half-a-pound of beef.

Chairman.

250. I understand the question of the honourable Member to point to this, that the fear of imprisonment will tell equally against both?—It will tell against both.

Mr. *Wilson.*

251. Is it not in accordance with facts that 18 out of 20 seamen from Hull are Englishmen?—No.

252. Have you any statistics to prove that it is not so?—The shipping articles will prove that, by showing how many English sailors are on board of the ships sailing out of the port of Hull.

253. Can you state as a fact that there are not 18 out of 20 who are British seamen?—I could say so at the present time.

254. As a fact?—Yes.

255. Can you say the reverse, that 18 out of 20 are foreigners?—Yes.

256. You say that when the seamen by accident do not come to join their ship, they are called deserters; do you call drunkenness an

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Mr. *Wilson*—continued.

accident?—Not exactly; still it is the fault of the man not being employed on board his vessel, not being kept on board of his vessel, and provisions found him.

257. Supposing a large steamer is out in the river with a valuable cargo and passengers on board, and she is unable to go to sea because the men are drunk; how would you deal with that case?—Fine them, but do not imprison them.

258. Then supposing you fine them and another crew are engaged, and they are drunk, what would you do then?—I am at a loss to say what I really should do. I should be very severe upon them, there is no doubt of it.

259. Is it not a very usual occurrence?—Not a usual occurrence, because there is not so much money stirring to enable them to get tipsy.

260. Are you aware that occasionally these men get so drunk that they jump overboard and are drowned?—That is in order to get clear of a ship that they are certain to be drowned in if they went to sea.

261. But when they are drunk; from drunkenness and not from any other cause?—I have heard of one or two from your own vessels jumping overboard when drunk.

262. Are you aware that it went to such an extent with steamers going to America that we were compelled to imprison some of the men?—I have heard so.

263. Are you aware that since that that evil has been almost done away with?—That will go into the question of shipping sailors.

264. Will you answer the question; has the evil since that been almost done away with?—I do not think it has.

265. You will not say it has not?—No; I am not aware that it has not. We do not support any sailors charged with drunkenness or desertion.

266. You say they are mostly foreign seamen, therefore they would not come to you?—We have a number of foreign seamen belonging to the association, very sober men.

267. Then foreign seamen are good men, are they?—Yes, they are; and I recommend them all to temperance.

268. How do you propose to get over this difficulty of steamers being delayed in the river, and the crews being inefficient simply from drunkenness?—There is only one way to obviate that difficulty, namely, to keep the vessel until the men are sober, or have them on board a certain time to keep them sober; to keep them away from the crimps; it is the crimps who make them drink.

269. Is that a greater or lesser evil than making an example occasionally of these men, and so stopping them?—I should say, fine them. I say that an example should be made of a man who is on board of his vessel in a state of drunkenness, and totally incapable of work; but you should not send him to prison.

270. It is not a case of one man; it is a great majority of the crew?—Then it is a very unfortunate occurrence. You say "the crew," but I have known cases when the master and mates have been in a worse state than the men.

271. You admit that it is a very difficult case to deal with?—It is a very difficult case to deal with, except by fining.

272. Is Mr. Newton now in Hull?—Yes.

273. He will be able to answer for himself as to the charges made against him?—I have no doubt of it.

Mr. *Wilson*—continued.

274. In the case of the "Viceroy," there was a Board of Trade inquiry?—There was; it was not before a Commissioner.

275. What was the result of the inquiry?—She was found seaworthy. The poor widows and orphans were starving about the streets of Hull, and we subscribed and relieved them the best we could, whereas the owners neglected to give them a small moiety.

276. Is it not often the case that the owners are incapable of giving them anything?—It was not so in that case.

277. It is very often the case, is it not, that the owners are just as poor as the seamen?—I do not know of any poor shipowners in Hull, except those men who have got a quarter or half a vessel.

278. You mentioned the chief mate of the "El Dorado"; will you mention the name of the captain who declined to take him?—I should like to mention the name more privately. I am not prepared to give you the name publicly. I will give you the name in the man's own writing.

279. Are you not prepared to give it publicly, as you have mentioned the case publicly?—I rather object to give the name. I named it to the owner in this room for the first time. I was perfectly aware that if the owner had been aware of it he would not have permitted it.

280. You had a great deal of experience of seamen in Hull; can you suggest any means of dealing with the difficulty which the owners see of getting the ships away, from this cause of drunkenness?—I cannot suggest to the Committee any means of preventing drunkenness.

281. Do you think a fine would be sufficient to prevent them from getting drunk again, and doing the same thing again?—I do. I think a fine levied upon them for drunkenness would have a better effect than sending a man to prison.

282. You are aware that it would be more satisfactory to the owners if they could avoid sending the men to prison?—Certainly it would. I do not think the owners wish to do it if there is a possibility of doing without it.

283. Do you think there is any necessity for the Board of Trade requirement of medical comforts in the ship, wine and rum?—I think brandy and rum should be in the ship as a medicine, with a strict caution to the captain that he is not to drink it himself, the same as in the case of the "El Dorado."

284. You think it is necessary to have them on board the ship?—Certainly, and an account to be kept as to how they are used.

285. Was the "Derwent" a sailing ship?—Yes, a sailing vessel.

286. Was this carpenter that you have spoken of a Hull man?—Yes, a Hull man.

287. Is he in Hull now?—Yes; or he was a few days ago.

288. You have his name?—Livingstone is his name.

289. Have you his address?—"11, Postern Gate;" it is nearly opposite the Shipping Office.

290. What is his Christian name?—Edward Livingstone is his full name.

Mr. *Plimsoll.*

291. The case was instanced to you of a large ship

Mr. *Plimsoll*—continued.

ship lying out in the river ready to go to sea, but prevented from doing so by the fact that some of the men were drunk ashore. That, no doubt, was a very embarrassing matter for the owner of the ship, but do you suppose that it is more embarrassing than the case of the owner of a coal-pit whose engine tender does not come in the morning to let the men down into the pit?—Certainly not.

292. But you are aware that the coal-pit owner is left to his remedy by the discharge of the man, and seeking a man that he can trust in future?—Yes.

293. And that is the case with a factory owner also?—Yes.

294. And factories and coal-mines are even more valuable properties than the average of ships?—Yes.

295. But neither a factory owner nor a coal-pit owner asks to have the power of sending these men to gaol if they happen to neglect their duty?—I do not think they would obtain it if they did ask it.

296. You were asked if you could suggest a remedy for the case of the shipowner whose men were put aboard drunk just as he was starting. I do not know whether any instances have ever taken place of engine-drivers on the railway being charged with drunkenness: but does it not appear to you that it is the business of the shipowner to have his men on board 24 hours before they start, so that no matter how drunk they are when taken on board they may become sober in time; is it not the business of the shipowner to see that he has good servants, just as it is the business of the railway company?—Or his servants. It would be impossible for the shipowner himself to do it, but his servants might do it.

297. It is impossible for the board of directors to see that their engine-driver is sober, but the public would look askance if they excused themselves for some catastrophe by saying that the engine-driver was drunk. I suppose it is within your knowledge that ships have been lost from proceeding to sea with a drunken crew, and stress of weather coming on before the men were sober?—As in the case of the "El Dorado," she towed out to sea whether the men were drunk or sober.

298. Does it not appear to you that the responsibility is more with the owners and their servants than with the men who are drunk?—Certainly; they should ship the men earlier, so as to secure their sobriety.

299. You mentioned, in giving your evidence-in-chief, a case which I remembered, and I have just looked at it; I was not aware that you were going to refer to it, but I find that I received a paper, sent from Hull, containing many statements that bear closely upon that matter, and I think they will probably be within your knowledge, from what you have said in answer to my honourable friend. It is in reference to the case of the vessel called the "Expert." The crew sent an address to me, of which I will read you some passages: "We were asked by the magistrates why we refused to proceed to sea, and we told them that the vessel was unseaworthy, and requested that a survey might be held on the vessel by the proper authorities;" was that the case?—It was so.

300. "In answer to this request, we were told

Mr. *Plimsoll*—continued.

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that we should have to deposit the sum of two guineas for the survey. This sum we could not at the time deposit, but we stated that we would be all jointly answerable for the amount, if on survey she was found to be in a fit state to go to sea;" is that within your knowledge?—Yes.

301. "We were, however, then remanded to the gaol of this borough, not being able to find bail, and were taken there in the prison van; on arriving at the gaol we were marched in single file by a warder to the remand part of the prison, when we were at once placed in separate, small, dark cells, and ordered to strip off the whole of our clothes for a bath"; is that true?—That is true.

302. "We did so, and waited for upwards of 20 minutes in these cold cells without a particle of clothing upon us, expecting every minute to be called out for a bath"; was that the case?—That is true; I heard it from the man's own lips.

303. Then afterwards they go on to say: "What few provisions we had taken in with us we were refused permission to eat, they being all taken away from us, as well as the medicine and breast-flannel belonging to a man called Mundy. We were ordered to the bath-room, and were taken along the cold stone passage in the cotton shirt, singlet, and stockings, and placed into a warm bath; and after having a bath we were taken back naked through this stone passage to be measured, and when this was done we were taken to the cells where we had been confined for the night, and our own clothes were then given to us, which we put on. About 10 o'clock the same morning we were removed in the prison van to the cells in the police-court, and in the afternoon we were taken before the magistrates (Messrs. Jameson, Fountain, and Palmer), who upon hearing the evidence of Mr. Snowden, senior surveyor to the Board of Trade (who proved that the ship was unseaworthy), we were discharged, and the following remarks were at the same time made by Mr. Palmer, namely, 'That he considered that the Board of Trade surveyor had given his evidence in a clear, straightforward manner, and was the right man in the right place, and that he should never dream of punishing us; that we had exercised a sound judgment in not going to sea in this vessel, and advised us in future to look at vessels before signing articles to go to sea in them, especially if they were to have ice in them'"; do those statements treat of matters which are within your knowledge?—Certainly.

304. And are they true?—They are true; and I heard it from the man's dying lips about 12 months since.

305. This statement was furnished to me by the men committed to gaol, and the statement was signed in the presence of George Barker, a clerk to Messrs. Oliver and Bottereel, solicitors, Sunderland, who took the statement down from the men; now this is the case of respectable men who, the magistrates said, had done wisely and rightly in refusing to go to sea?—That is true.

306. Do you think that we can reasonably expect that the British mercantile marine can be manned by respectable men, while they are exposed to treatment like that for no fault?—Certainly not.

307. And in cases which are very frequent, of men who are brought up before the magistrates, and in cases which are much more numerous

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recently than formerly, I am glad to say, which are discharged, because on survey the vessels are found to be seaworthy, this is a sample of the treatment they undergo whilst on remand?—Yes.

308. Do you know whether the Act of 1876 has given compensation for cases of this sort?—Yes, to a certain amount.

Chairman.

309. What amount?—I think, 10 *l.*; as much as the magistrate may deem sufficient.

Mr. *Plimsoll.*

310. Taking the fact that an engineer when he signs articles subjects himself to treatment of the kind that I have described, and that his personal liberty is at the mercy of no less than five authorities; the owner of the ship, the captain, the mate, the consignee, and the ship's husband, is it within your knowledge that these circumstances prevent many respectable men from taking service on board steamers, except in the very last extremity?—Certainly, it is.

311. You heard me read that allegation in the statement which I received from Hull, that the magistrates required a deposit of two guineas preliminarily to a survey; is that the fact within your knowledge?—They were called upon for a deposit, but I am not certain that the sum was named; it might be named by the magistrate's clerk privately, that it would be about two guineas; I think that is how it arose.

Chairman.

312. Are you aware that legally no such deposit could be demanded?—Certainly I am.

Mr. *O'Shaughnessy.*

313. Do you know anything of the case of the "Annandale"?—In the case of the "Annandale," I saw the vessel myself, and reported her by telegram to Mr. Plimsoll as being totally unseaworthy and about to go to sea.

314. When was this case?—In 1876.

315. Now will you give us the details of the case?—She was in ballast for Pensacola, and I reported her myself to Mr. Plimsoll as totally unseaworthy. A surveyor was ordered to report upon that vessel, and he sent a certificate up to say that she was seaworthy; that he had the certificate of two surveyors who had declared her seaworthy, and that great repairs had been done to her. I had advised the sailors not to go to sea before leaving for London, and told them that if they did it would be at their own risk, that they would never get back again. They went; she was released by the Board of Trade as being seaworthy. I do not say that the Board of Trade knew anything at all about it, but a Board of Trade officer had reported that she was seaworthy. Three weeks after she was knocking about in the Channel; she had gone into Dover and the men wanted to leave her there, but they could not get away from her; she was run into Portsmouth with 8½ feet of water in her hold. I telegraphed to Mr. Plimsoll, and the Board of Trade ordered their surveyors to go on board, and three or four went on board of her and they reported her as unseaworthy, rotten in all parts of her; and looking at it as it affects the seamen, that "Annandale" case did more to prevent seamen from making reports or stating that their vessels were unseaworthy, than anything else that has been done. I might say that I have applied to the Board of Trade to give us the name of the surveyor of whom I have spoken who had rendered that report, and I have their reply from the Assistant Secretary that he would not furnish me with the name; or else I intended to lay it before the President of the Board of Trade, so that it might be brought to notice.

Mr. *O'Shaughnessy*—continued.

316. What is the reason that the case of the "Annandale" has induced sailors to refrain from calling attention to the unseaworthiness of ships?—Because they see that if they made a report that a vessel was unseaworthy, there are, or have been, surveyors in the employ of the Board of Trade who would report the vessel seaworthy. There is proof positive that that vessel was unseaworthy from reports made by the Board of Trade surveyors afterwards. That case occurred on the 27th of January 1874, but as late as January 1876, I have been applying for the name of the Board of Trade surveyor.

317. Then you think that the defect of the survey discourages sailors from giving information of the unseaworthiness of vessels?—Certainly I do.

318. What was the name of the vessel to which you have referred, of which Adams was the master?—The "James F. Pendergast."

319. Now proceedings were taken against him before the magistrates in Hull?—Yes.

320. Do you know what the object of those proceedings was; what was he charged with?—Desertion.

321. Were you present at the proceedings?—I was not present at the proceedings; he came to me immediately he was released. I did not know anything at all about it till the morning he was released.

322. Was the case tried before the magistrates?—Yes.

323. Who were the magistrates; do you happen to know?—Justices of the peace, I believe.

324. You do not know their names?—I do not know their names; I could furnish the Committee with the names if it is desired.

325. He informed you that he was charged with the special crime of desertion?—Certainly; it was in the newspapers.

326. Did he inform you that he was acquitted of that charge?—Yes; the police informed me that he was acquitted of that charge, and I paid the fee in my own office.

327. Now I did not quite understand a subsequent part of that story; did they hire another English captain to go as far as Rio Janeiro?—Yes.

328. And then I understand you to state that a sort of subterfuge was resorted to, by which an American captain would take the place of the English captain in the subsequent part of the voyage after Rio Janeiro?—Yes; the American captain was on board, and the American mate also at Hull; and I reported the circumstance to the Board of Trade fully, declaring that she was under false colours.

329. Then am I to understand that she had an English captain and an American captain on board at the same time?—Yes.

330. He was put into prison in the first instance, I think you said?—He was taken to the police station at night, and lodged in the police station

Mr. *O'Shaughnessy*—continued.

station all night, and the next morning was taken before the magistrates; and they, upon hearing his statement that he was the master of the vessel, naturally saw for themselves that the officer had done wrong in arresting him, and they released him.

331. Was he put into prison subsequently in connection with this matter?—No, not subsequently; decidedly not.

332. Now I understand you to say that the crimping system is one of the great grievances and sources of hardship of which the sailors have to complain?—It is so.

333. Do you regard that as being to any extent the cause of the dissipation and drunkenness of sailors before they go on board?—I do.

334. Will you explain to the Committee how it causes that drunkenness and dissipation?—The crimps and tailors, principally Jew tailors' runners, changing the notes of these men and then assisting them to spend the money in drink and other debaucheries.

335. Do you believe that if the crimping system was restrained, that would have a considerable effect in reducing the temptation to drunkenness and debauchery?—It would, most decidedly.

336. That, to a large extent, this habit of going on board drunk would be abolished?—It would.

337. We have heard something here about baths; I suppose the necessity for these baths arises from the filthy state to which drunkenness and debauchery reduces these men?—Not with those men that were subjected to that bath on that occasion.

338. But I mean in certain cases the necessity for the bath arises absolutely from the filthy state to which the men are brought by drunkenness and debauchery?—Yes.

339. You think that if the system under which they are made drunk were abolished, there would be no great necessity for the system of compulsory bathing?—There would not.

340. We have heard something here about the desirability of men looking at the ship before they sign the articles?—Yes, I am quite clear of that.

341. You do think it is desirable that they should look at the ship before they sign?—Yes.

342. Do you not think it is very desirable that they should be allowed to be sober when looking at the ship?—Yes.

343. And I suppose they would be in a better position to look at the ship if they were free agents, and not driven to drink by the circumstances you have spoken of?—Yes.

344. Supposing there were no crimping, and none of this thing that leads to drunkenness; and supposing then, that some man, of his own wickedness and misconduct, got drunk, would you object to the punishment of imprisonment being inflicted on him?—To an extent I should say certainly not imprison him, but fine him.

345. You are aware that imprisonment is usual in ordinary civil life as a punishment for drunkenness?—Certainly, or a fine.

346. And do you think that, assuming that the temptations to drunkenness, of which you have spoken, were removed, the crime is less when it involves a grave disturbance of mercantile affairs, and grave danger to life and property; do you not, on the contrary, think that drunkenness is a greater crime then?—Certainly; it is the same as in a coal mine.

Mr. *O'Shaughnessy*—continued.

347. And would deserve greater punishment?—And would deserve greater punishment. The men's lives may be sacrificed in consequence of the drunkenness of a man.

348. But in order to make that punishment justifiable, you believe that the temptation to that drunkenness, namely, the means of crimping, should be removed?—Certainly.

349. Now, you speak of foreign sailors taking the place, to a large extent, of English sailors in Hull; are those sailors, as a rule, United States sailors, or are they sailors from European countries?—From continental countries. I said that English sailors went into the service of the States.

350. Then you do not find United States sailors coming into this service?—No.

351. Do you know whether the United States laws treat their breaches of contract as criminal offences?—I do not think they do.

352. But you are aware that the laws of many continental countries more despotic than ours do treat them as criminal offences?—Certainly I am.

353. Then do you attribute the readiness with which continental sailors come to your ships to their being accustomed in their own countries to these things being treated in a despotic manner as criminal offences?—They are more subject to it.

354. And more ready to yield to it?—Yes; and they get better pay and better living in the English service than they do in the foreign service.

355. But you do not find that the sailors of countries having free institutions and anaccustomed to these things being treated as criminal offences, are willing to embark in your ships?—No.

356. Of what nationality are the men who chiefly come to your ships in Hull?—Norwegians, Swedes, Danes, Russians, Greeks, Turks, and niggers.

357. I understood you to say that the larger owners, the owners of greater wealth and greater enterprise, are not so apt to have unseaworthy ships?—No.

358. The persons likely to have unseaworthy ships are less extensive shipowners?—Some of them.

359. Now you are aware that those criminal clauses creating criminal responsibility give shipowners, great and small, very large powers over the persons of their sailors?—Yes.

360. Do not you think that one of the effects of those criminal clauses, that criminal legislation, is to slacken the care of shipowners as to the seaworthiness of their ships, because they know that they have this criminal code to resort to, and that they can bring such pressure to bear on the sailors that they will be compelled to overlook to a great extent the unseaworthiness of the vessel?—Certainly.

361. And is that one of your reasons for wishing for the removal of those criminal proceedings?—Yes.

Mr. *Dalrymple.*

362. I have been struck with what you have said about one vessel which you mentioned, the "Viceroy;" you said she was in a disgraceful state and unfit to go to sea; why did you not make a report about her as well as the "Annandale"?—I did make a report about her, and obtained a Board of Trade inquiry.

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363. After

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Mr. *Dalrymple*—continued.

363. After the vessel had gone to the bottom?—Yes.

364. Why not before?—Because it would have been of no use. You must be very careful in Hull. You must allow the accident to occur first, and then make your report afterwards.

365. You said you did not make a report because you were afraid of being thought a partisan of the seamen?—I said that. I did not give evidence on the Board of Trade inquiry for that reason.

366. With regard to the "Slieve Bloom," what is the suggestion which you make as to the ill-treatment of the carpenter, Livingstone; on what account was he ill-treated?—He was ill-treated by being put in irons.

367. As I understood, he was employed to make repairs?—We suggest that it is in consequence of his keeping a log of the work that he had done, and that he would be likely to come forward to declare that she left England in an unseaworthy state, uncaulked, and that he had to caulk that vessel at sea on a stage hanging over her side, which is a thing out of all character for a sailor to be called upon to do, except in case of emergency, when she springs a leak.

368. Then the allegation is that the caulking took place at the wrong time, not that there were not steps taken to repair her?—They did not give a sufficient time to put her into an efficient state of repair before she sailed.

Mr. *Bates.*

369. You say that although seamen by accident are prevented from joining their ships, they are still convicted; will you be kind enough to say what you call "by accident"?—The excuse is overlaying themselves, or not getting down in time.

370. I want to know what you call "accident"?—A man not getting down exactly at the tide time when the vessel is going out; say three, or four, or five o'clock in the morning. He ought to be supplied with provisions and kept there, and then he would be in time to go away. He should not be sent for on the morning of sailing; but vessels are in the habit of taking in their cargoes up to the last moment and going away with their hatches unsecured right out to sea.

371. Would you call, for instance, a man being drunk an accident?—Well, I should not call it an accident.

372. You think when he was drunk he ought to be convicted?—Not sent to prison, but fined.

373. And who is to pay the fine?—He still must go to sea.

374. Who is to pay the fine, I ask?—Put him on board the ship till he is sober, and make him pay the fine from the money he earns on the voyage.

375. You are aware that if you send a man on board a ship against his will he may still refuse to do his duty?—It is only a few hours; he is sober before he reaches the Spurn.

376. Now, what do you call being arrested without warrant?—I call it a very arbitrary act.

377. But what is the act; what is the arrest?—That a man, the same as that ship chandler of whom I have spoken, will take a man and give him into custody, and say, "This man did not join his ship," and will give him up without a warrant before any inquiry takes place as to whether it was so or not.

Mr. *Bates*—continued.

378. Are you aware that very often after sailors have signed their articles, and when the ship is going through the dock gates, you may see three or four of them on the quay?—Yes, because they have not joined the ship.

379. And suppose that a Board of Trade runner, or any other man, for instance, the owner or overlooker, goes up to those men, and says, "Now, come, my boys; the ship is going through the dock gates; jump on board," and he lays hold of them, do you call that arrest without warrant?—No; I do not say that that is an arrest, if he merely lays hold of them; but taking them to prison for it.

380. You would not call that an arrest, which I have just described?—No; to put a man on board the vessel is not an arrest.

381. Now, suppose that, instead of doing that, an owner went before a magistrate and got a summons for the man, would not that cost the poor fellow a deal of money?—He could not get a warrant against the man for being drunk.

382. But for not joining his ship after signing articles; for not fulfilling his contract?—That is straining the point very much, I think, to take out a warrant against a man because he is drunk, slightly intoxicated; they are never in such a bad state that they cannot walk.

383. That is not an answer to my question; you say that if a shipowner or an overlooker sees a lot of his crew who have signed articles on the pier-head, and goes and talks to them, and lays hold of them, and says, "Jump aboard, my boys," you would not call that an arrest?—No, certainly not.

384. But suppose that, instead of doing that, the owner or the overlooker went before the magistrate and got a summons or a warrant for the men, would you not call that a great hardship upon the men?—No magistrate would grant a warrant under such circumstances.

385. Not for a man refusing to join his ship after signing articles?—No, not so close as that. If the vessel had gone out of dock, and then he had neglected and refused to go on board his ship, I think it would be reasonable to grant it then.

386. What would the shipowner have to do without his crew in such a case?—I do not think any shipowner ought to send his vessel to sea immediately she leaves the dock gates, before everything is secured.

387. How is a shipowner to send his ship to sea without his crew?—Have them shipped a few days previously; keep them on board, and provision them.

388. And your knowledge of sailors is such that you think it is possible to get them to do that?—I say with good treatment you can have good men. When there are provisions found for them, they do not require an advance, and you do not give them an advance, and then you have your men perfectly safe. Give it to the wife, if they are married, before leaving, and supply them with provisions on board, and have them on board a few days before the ship leaves the port, and you will then have good men.

389. And you think it is possible to do that with sailors?—I do.

390. You have said a good deal about crimps; can you point out any remedy to put a stop to that

Mr. *Bates*—continued.

that evil of crimping. I quite agree with you that that is the very worst feature we have to deal with; can you point out a remedy?—I would say, include in the clause of this new Act a provision that no person whatever shall be allowed to go on board to solicit orders from the crew or the master before the vessel has been moored 24 hours; that would put a stop to it.

391. What would put a stop to it when Jack gets his money?—Then he does as he pleases.

392. Still the crimps would be just as bad as ever then?—Except that you can keep the crimps away from the shipping offices. I can suggest a remedy, namely, to license all boarding-house keepers.

393. You think that would be a good thing?—Yes, certainly; to include in this new Act a provision that every boarding-house keeper taking in sailors shall take out a license, and shall keep an account of all moneys received by him and expended, and what he does with it; the same as the master has to do in making advances to sailors. License sailors' boarding-houses, and you will go to the root of the crimping at once.

394. You said, I think, that the "El Dorado" was unseaworthy?—Yes.

395. Was there a Board of Trade inquiry upon that ship?—Yes.

396. What was the result?—I do not think the result has been that the vessel was declared unseaworthy, but that she was not in a proper state.

397. Was she over-loaded?—No, she had sand-ballast in her; she was a solid-bottomed vessel, and there was nothing to keep the sand away from the pumps; and when she left the docks, to my certain knowledge, she had 4½ feet of water in her hold. She was bound for South America, and she leaked and leaked; she was broken-backed, in fact.

398. Then, as I understand you, she was lost on account of this bad sand ballast?—Yes, she became unmanageable, and the sailors went so far as to say that she never was intended to get to her destination.

399. Now, in reply to the honourable junior Member for Derby, you said that the "El Dorado" was lost on account of her drunken crew, did you not?—No, her drunken captain.

400. I think you said the drunken captain, in reply to the honourable Member for Chatham; but in reply to the honourable junior Member for Derby, you said it was lost on account of the drunken crew, did you not?—No; it was the drunken captain; there was not one of the crew charged with drunkenness; all those men went on board sober, and the men that gave evidence were English seamen, and they were sober men during the whole time of the trial. I never saw the least signs of drink upon them.

401. Now you say that a sailor should not be imprisoned for drunkenness, but that he should be fined?—Yes.

402. Then is a sailor, after he has signed articles to go a certain voyage in a certain ship, to be fined for drunkenness?—Yes.

403. Will you tell me where the money to pay that fine is to come from?—When he works for it.

404. But supposing he is imprisoned and fined also, what then; supposing he cannot pay the fine, what is the alternative. What is the alternative with a man on shore?—To pay or go to gaol.

Mr. *Bates*—continued.

405. But a sailor ought not to be sent to gaol; he ought to be fined, you say?—He is attached to the vessel, and therefore could be taken on board the same as foreigners take their sailors on board. You can take him on board and make him earn his wages.

406. I think you said just now that the reason why so many foreigners go in English ships is because they get better pay and better food in English ships; is that so?—Yes.

407. You stated, did you not, to the Committee that you were a surveyor of Customs in Hull?—I was a surveyor of Customs in Hull, Bristol, Dublin, Cardiff, and various other places.

408. Are you the Mr. Coleby Atkinson Davis who was dismissed by the Board of Customs?—I am.

409. Were you dismissed for having taken or caused to be taken and sent to your own house, from the vessel "Kingston," about two bushels of tares?—Perjured and false charges throughout.

410. Was another charge against you that you caused to be taken and sent to your own dwelling from the "Swanland," about two bushels of wheat, the same being sweepings of the hold, but clean?—I say that the whole of the charges there were false. If the House of Commons had given me the privilege of defending myself, and having a public inquiry, I could have refuted them a great length of time ago, and shown the falseness of those charges; and I am prepared to do so now.

411. I am quoting from a Parliamentary Book?—I know it; your Parliamentary Book is an answer to an application made by me to the House of Commons for the production of papers that were sent to the President of the Board of Trade by Mr. Plimsoll and myself.

412. It is alleged here in this Parliamentary Book also that you were convicted by the Board of Customs of having caused to be taken and sent to your own dwelling from the Russian prize, "Ceres," and with having converted to your own use about 60 yards of new canvas of the value of about 3*l.*; is that so?—No, it is untrue. I say that I was not convicted; I was not tried, and if I had been guilty of felony I ought to have been tried by a jury of my country, and I should then have had some means of defending myself. I say it is a gross libel.

413. Further, you are charged with having employed a boatman to make a part, or parts, of such canvas into articles for your own use, particularly into a covering for a kitchen floor, and into two mats; and with having taken some rope belonging to the Crown from the store-room of the Custom House, and caused it to be used in making the mats; is that true?—I say it is untrue.

414. There are four or five other points contained in the same paper?—You do not allow me to give the explanation that I ought to give to you.

415. Were you called before the Board of Customs?—No, never.

416. Was no inquiry made?—An inquiry, such as they call inquiries in the Customs; one man to take evidence and report, and make what report he pleases, and convict you whether you are guilty

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guilty or not, and not hear the evidence you bring forward, and not allow any assistance or anything of the kind; you are convicted first.

417. On this report or decision of the Board of Customs, were you refused by the Board of Trade to have certain documents sent to you; did the Board of Trade refuse to hand you documents?—Mr. Thomas Gray did, but not the Board of Trade; the Board of Trade would not have stooped to have done such a thing.

418. Was the letter a private communication to you, or was it signed by Mr. Thomas Gray as secretary to the Board of Trade?—Mr. Thomas Gray sent the letter to Mr. Plimsoll when I was obtaining evidence for Mr. Plimsoll, when he was about to be prosecuted by Mr. Norwood: and I obtained contradictory evidence in that case sufficient to prove that Mr. Plimsoll was not guilty, and that was the reason why he sent that letter.

419. I observe here in this Parliamentary Book a communication from Mr. Gray to Mr. Plimsoll, which is dated the 27th of June 1873, and is stated to be a communication from the Board of Trade to Samuel Plimsoll, Esq.?—That was 13 years after I was discharged.

420. "The Board of Trade to Samuel Plimsoll, Esq.," it is headed, I find; although it is signed by "Thomas Gray," still it was to all intents and purposes, I imagine you would say, a letter from the Board of Trade?—No; I say it was not; I say that the Board of Trade never authorised it.

Mr. *Gorst.*

421. You were dismissed or discharged from the Customs in what year?—In 1860; 18 years ago.

422. Did you hear of these seven charges which are contained in the Parliamentary Paper, at the time when you were dismissed?—Certainly.

423. Were those charges made to you in your presence; were you allowed to appear?—It was in a room before a collector, who was sent from another district to inquire into them.

424. And he saw you and heard what you had got to say?—He heard all that the other parties had got to say.

425. And witnesses, I suppose, deposed against you; did those witnesses depose against you in your presence?—Yes; and Mr. Catchpole, the principal inspector of the river; I was senior tide surveyor of the river, and he was also joined with me in that case.

426. Were either you or Mr. Catchpole prosecuted?—No; we asked to be; we petitioned the Treasury, we petitioned the Board of Customs, and I petitioned the House of Commons to have that done.

Mr. *Gorst*—continued.

427. You petitioned the Treasury, and you petitioned the Board of Customs, and you petitioned the House of Commons, that you might be prosecuted?—Yes; that we might have the means of defending ourselves from such false and foul charges.

428. When did you petition the House of Commons?—Four or five years ago, I think.

429. Since this letter was written which is in the Parliamentary Paper?—Yes.

430. Did you petition the Customs after this letter was written, or before?—Several times before.

431. When did you petition the Customs first?—Immediately after the thing happened.

432. And you asked to be prosecuted?—Yes; I asked to be prosecuted before the stipendiary magistrate.

433. Did you petition the Customs more than once?—Several times.

434. Before this letter was ever written?—Years and years before that.

435. When did you first apply to the Treasury?—I made half-a-dozen applications to the Treasury, I should think.

436. Before this letter was written?—Yes, years before.

437. Then, as I understood you, at the time you denied these charges, and at the time you asked to be prosecuted, both from the Customs and from the Treasury?—Yes, and am ready now.

438. And you repeated those requests over and over again?—Yes.

439. Then in 1873 they wrote that letter?—Yes; they wrote that letter as soon as they found that I was discovering that Mr. Plimsoll was an innocent man.

440. And since that letter was written you have petitioned the House of Commons for an investigation into this charge?—Yes.

441. Now you are not here on your oath, but will you answer me as if you were on your oath; do you still say that these seven charges which were made against you in 1860 are absolutely false?—False from beginning to end.

442. And are you now prepared, and are you now anxious that these charges against you should be investigated in a criminal court?—I am desirous of that for my character's sake, and because of the loss of my pension.

Mr. ANDREW COMMINS, LL.D., called in; and Examined.

Mr. *Commins,* LL.D.

Mr. *Gorst.*

443. ARE you a Barrister-at-law?—Yes.

444. Practising in Liverpool?—Yes.

445. What standing are you at the bar?—Eighteen years, about.

446. I believe you have been very frequently engaged professionally in cases in which seamen have been charged, particularly with the offence of desertion?—In a very large number of them; many hundreds, I believe.

447. Now, in your experience, is what I will call wilful desertion a very common offence?—Wilful desertion is very rare; negligence to join a ship is very common.

Mr. *Gorst*—continued.

448. Now what do you consider to be the common cause of a seaman neglecting to join his ship?—The cause nearly always alleged when they are brought before the magistrates for it, is drunkenness; they generally excuse themselves by saying that they had a little too much drink the day before joining the ship, and that in that way they forgot to join the ship; that is the common cause that they do allege. But I believe that behind that there is another which is very frequently the real cause.

449. What do you believe to be the real cause?—The real cause, I think, is this, seamen generally

Mr. *Gorst*—continued.

generally stay on shore as long as they have got money to spend, and when they have spent their money they get into the hands of boarding-house keepers and clothiers; outfitters, as they are called. These men sometimes advance them money, and sometimes the boarding-house keepers allow them to remain at their houses a week or two without receiving any money; they then compel them to join a ship; they bring them to the shipping master or to the Sailors' Home and find a ship for them; they get their advance notes, and give them plenty of drink after they have got the advance notes. Then the seaman thinks he is robbed by the boarding-house keeper, or by the crimp who takes advantage of him in that way, and in order to spite him he avoids joining the ship; he allows himself to be made drunk, and does not turn up when he should join the ship in the morning, and he thinks he is having a piece of revenge on the boarding-house keeper.

450. The boarding-house keeper looses the advance note, I suppose, in that case?—Yes, the owner of the ship promises to pay the holder of the note a month's wages ten days after the sailor has sailed on board the ship.

451. Who is it that generally lays the information against these men that they are guilty of desertion or refusing to proceed to sea?—The information appears to me to come mostly from the boarding-house keepers or the outfitters, who would be cheated, or lose the amount they advance.

452. Is it your experience that the information is laid not by the shipowner, but by the man who holds the advance note?—It is very rarely laid by the shipowner. As a rule, shipowners like to stand well with their men, and laying an information of this sort would not increase their popularity.

453. Are these men who are brought up for desertion generally arrested with or without warrant?—Always without warrant; they are arrested at felons, in fact. I have never known a warrant to be issued for their arrest scarcely.

454. Who tries those cases?—Nearly all prisoners are brought before the stipendiary magistrate, who tries prison cases five days out of the six; on the other day he sits upon other matters, and then they would come before the lay magistrates.

455. In the cases where the seamen are brought before the lay magistrates, in what position in life are the magistrates ordinarily?—I suppose five out of six of the borough justices of Liverpool are shipowners. The chances are five to one that either one or both of the magistrates would be shipowners, or indirectly interested in some way in shipping.

456. I need hardly ask you whether in such cases the men themselves can give any evidence?—They can give no evidence; they can make a statement, but as the statement is unsworn, and is not evidence, of course it weighs for very little. It sometimes operates to mitigate their punishment somewhat, but as a defence it never can amount to anything.

457. Do you often find the unseaworthiness of the ship alleged as the defence?—Very rarely, I have known a few cases; I have been engaged in a few of them; but it is a thing of very rare occurrence in Liverpool at all events. I have known one case where it was alleged, and I believe as the event afterwards showed, most justly alleged.

Mr. *Gorst*—continued.

458. What was that case?—The case of a vessel called the "Sultan"; this was a vessel that sailed from Liverpool in December, I think, of 1873; before sailing there was the usual complement of the crew, I think six or seven, and the men went on board and examined the vessel and refused to sail in the ship, alleging that she was unseaworthy; they were brought before the stipendiary magistrate, Mr. Raffles, on a charge of refusing to proceed to sea; the carpenter was not included in the charge, and I called the carpenter as a witness, and in his evidence he alleged that he had examined the vessel very carefully, and that he found she was utterly unseaworthy both in the hull and rigging, and he gave his evidence in detail, specifying the facts on which he relied to show that the vessel was unseaworthy; and upon his evidence Mr. Raffles, the stipendiary magistrate, discharged these men, considering that the vessel was unseaworthy, and that they were justified in refusing to go to sea. Next day, the mistake that had been made the first day was rectified, by giving the whole of them into custody, including the carpenter. On this occasion, Mr. Raffles considered that he had disposed of the case of the men, and that he could not properly reverse his decision, as they had been struck out of the articles and were no longer seamen of the vessel; but he proceeded to hear the case of the carpenter, and a number of surveyors were called, some private surveyors, and I believe one or two of the Board of Trade; and according to their evidence the vessel was quite seaworthy. Upon this, Mr. Raffles made the offer to the carpenter: "You hear what the surveyors have said; will you proceed to sea in the vessel? If you do, I shall discharge you." "No," he said, "I will not; my life is dearer to me than anything I can earn on the vessel." I cannot recall his words; as I have had only a few minutes' notice of what facts would be required of me in evidence, I am merely drawing upon casual recollection. He said that his life was dearer to him than anything he would earn on board the vessel, and that he would not go whatever the punishment might be; and he was thereupon sent to prison for six weeks, that is one-half the maximum punishment. A new crew was shipped the day following; the vessel proceeded to sea, and within 10 days, I think it was, a few timbers of this vessel, which regularly should have proceeded to Havannah, were found off the island of Coll; the vessel went down with all hands. There was a Board of Trade inquiry which I had nothing to do with afterwards, but I know this, that the carpenter served his six weeks in gaol.

459. What year was this in?—In December 1873. I remember the carpenter spending his Christmas in gaol. I do not know how the vessel found its way to the island of Coll. It must have got water-logged and drifted helplessly in a current.

460. Was there another case that you can speak of; the case of the "Wild Rose"?—The "Wild Rose" was a case where a whole crew, amounting to some 20, refused to proceed with the navigation of the vessel after she had been several days at sea. They certainly did not use either any violence or what might be called even disrespectful language, but they made a very

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strong remonstrance to the captain, and upon this remonstrance he put back into Liverpool. This would be about 12 or 18 months ago; it was since Mr. Plimsoll's Act was passed. They demanded a survey of the vessel in justification of their refusal to do duty and refusal to proceed further in the vessel They took a great deal of trouble and drew up a formal and particular statement of the condition of the ship, to the effect that she certainly was almost unnavigable in their hands at the time that they got the captain to put about, making water at the rate of six inches an hour, and with the standing rigging in a shocking condition. When they tried to put up one of the sails, they said, the pully smashed, and such things as that. However, though they did try very hard to get a survey to justify them for what they did, they could not get it. In fact, I tried myself whether, under Mr. Plimsoll's Act, we could get a survey, but I found it utterly impossible. There was no way of obliging the Board of Trade to have such a survey as would show whether they were justified or not in what they did. The vessel was loaded with salt, and there was no provision for emptying the vessel at all; and a survey made without discharging the cargo would have been useless.

Chairman.

461. What is the date of this?—The case of the "Wild Rose" is within the last two years. I could not give the exact date now. It will be 1875 or 1876. I cannot speak to the exact date, as I am speaking entirely without reference on these matters.

Lord *Eslington.*

462. Under which Act were proceedings taken; the Act of 1871 or 1873?—It will be the Act of 1873. No survey could be got such as the crew relied upon to prove their case; but the owners of the vessel had the vessel surveyed in the way it could be when full of cargo, and they considered that the vessel was seaworthy.

Mr. *Brassey.*

463. Was she docked for the purpose?—Yes; she was loaded with salt. So in that case Mr. Preston, the magistrate, who tried the case, the stipendiary of Birkenhead, sentenced them to four weeks imprisonment. He considered that though the men had refused to do their duty, they had not done anything very serious. That there were some appearances to excuse them, but that they had subjected the owners to an expense of many hundreds of pounds by their refusal to proceed.

Mr. *Gorst.*

464. What offence were they charged with?—With refusing to do duty. There was a case that only occurred a few weeks ago; I think the name was the "Tiara"; that occurred in a similar way, and it shows the inequality of the punishment and the position of the sailor in regard to matters of that sort, probably as strongly as any case I could give.

Chairman.

465. What was the end of the "Wild Rose"?—The men were sent to gaol; another crew was shipped, and the vessel proceeded to its destination, and, I believe, arrived safe and sound; but

Chairman—continued.

I have heard that the second crew also deserted the vessel the first port they touched at; that they did not like it either, and were afraid of their lives.

466. But the vessel proved seaworthy, you say?—In the event it got to its destination, at all events; very unseaworthy vessels sometimes do.

Mr. *Gorst.*

467. A good many unseaworthy ships arrive at their destination?—Plenty of them. In the case of the "Tiara" there were six sailors. It was about six weeks ago; I was exceedingly busy at the assizes, and that is the reason I cannot give you the number with certainty, my attention being only occupied with the matter for a quarter of an hour. These six sailors were brought before two lay magistrates and charged with refusal to do duty on board of the vessel on a voyage from somewhere in America to Liverpool. The refusal to do duty was refusing to wash the decks upon a Saturday or Sunday morning. It was put upon them, they believed, for the purpose of annoying them; such a thing as is done constantly, both by captains and mates; occasionally the seamen are put upon utterly unnecessary work, and the seamen resent that. In this case they were, as I have said, asked to wash the deck. That was utterly unnecessary as far as the safety of the ship, or even the comfort of those on board, was concerned. They refused, and for that refusal they were brought before the magistrates. It happened to be one of the days on which the stipendiary did not sit, and therefore they were brought before two lay magistrates. I was brought from the assize court to defend them, and when I saw what the case was, I said, "The thing is a trifling matter; plead guilty to having done it." They did, upon my advice, plead guilty to this exceedingly trifling act of insubordination, and they were sentenced to 12 weeks, the maximum imprisonment, together with the maximum forfeiture under the Merchant Shipping Act, and they are still in gaol at this present moment.

Mr. *Shaw Lefevre.*

468. That was not a case were they pleaded unseaworthiness?—No; they were ordered to wash the deck, and they were sent to gaol for refusing to do duty.

Mr. *Gorst*

469. However useless or unnecessary the work is that a seaman is ordered to do, if he refuses he renders himself liable to imprisonment?—Yes; and the maximum is 12 weeks as well as a forfeiture of six days' pay; and this imprisonment and this forfeiture was inflicted for this trifling refusal to do duty; a refusal that could not in any way affect either the safety of the ship or the comfort of the crew; in fact, nothing except the authority of the captain.

Mr. *Shaw Lefevre.*

470. Are the cases which you have mentioned the only cases in which you remember the seamen pleading the unseaworthiness of the vessel?—I can hardly remember another case where it was pleaded *bonâ fide*. There may have been cases where seamen have been brought up who have said that they did not like the vessel.

471. When you say, "pleaded *bonâ fide*," have there

Mr. *Shaw Lefevre*—continued.

there been some cases in which they have alleged that, but in which, when they have gone into court, they have not maintained the charge?—Yes, but very few brought cases in which they have brought no evidence in support of it. Sailors will make some excuse.

Mr. *Gorst.*

472. Are the seamen often brought before the justices of Liverpool for refusing to do their duty; is it a common thing?—Almost every day in the week.

Chairman.

473. What are they brought before them for?—For neglecting to join the ship mostly, and frequently for refusing to do duty.

Mr. *Gorst,*

474. Is it often for refusing to do some unnecessary act of duty?—No, not often. Probably the case I have just given, where the man refused to wash the deck, was one of the most remarkable of that kind.

475. Are there many cases of that sort?—There are many cases where the matter is very trifling, and where there is not the slightest pretence that the ship or the navigation of it was in any way injured by the refusal. These cases frequently arise as a kind of forestalling of threatened suits by the seamen for their wages.

476. When the seamen threaten suits for their wages?—They are frequently either given into custody, or summoned for having refused to do duty upon the voyage.

477. Can the log be given in evidence in cases of this sort?—Yes; it nearly always is given in evidence, and it often prejudices the case of sailors very much. A captain or mate gets on bad terms with the seamen, or several of them, and the result is that he gives them a good deal of provocation, and puts them upon unnecessary work; works them up, as it is called. After a time the seamen resent that, and they refuse to do duty; then they are logged for it, and, of course, very large deductions made from their wages when the ship is being paid off. The seamen refuse to submit to these deductions, and they threaten suits for their wages, which threat is frequently met by giving them into custody on the charge of refusing to do duty, or of mutiny; and in that way they are prosecuted often for the sake of making out a defence to the charge of improper deduction from their wages.

478. When a seaman breaks his contract, it is treated as a criminal offence, but is it on the other side so treated?—No, not at all. I remember a case in which I appeared some three years ago; a very large crew were shipped upon a steamship which was to go out to South America on a voyage which was to continue about three years; the wages were large, and no doubt it would have been a very good thing for the seamen, a continuous engagement for a couple of years at high wages. However, some accident happened which rendered it necessary for the vessel to put back after she had been out in the river for a day or two, and the entire crew were discharged, though, according to their allegation, they had been waiting for this ship for nearly a fortnight, and they were offered two days' pay; I think two days was the amount of time they had actually served on board; they were not satisfied with that, as the Merchant Shipping Act provides

Mr. *Gorst*—continued.

that when sailors are discharged within a month of being engaged they are entitled to compensation for breach of contract not to exceed a month's wages; they all sued for a month's wages before the County Court of Liverpool, and they got in compensation for this breach of contract, whereby they might have earned 150*l.* each, 1*s.* a head without costs.

479. Now if those men had broken their contract, and had refused to proceed, what would have been the result to them?—They would have got 12 weeks probably in gaol, and if they had earned any wages they would have had a forfeiture of six days' pay as well.

480. Do you think it would be just to put the two parties to the contract on the same footing?—I think that in all offences of that class committed in port both parties should be put on the same footing. If a sailor refuses to do duty on board a ship on her voyage, then the danger may become contagious and lead to mutiny, and it may endanger the safety of the ship and the lives of the officers, and the lives of the men themselves, because of course captains will enforce their authority. A refusal on board ship in any serious matter ought to be treated as a serious offence out of port; a refusal to do duty or neglecting to join the ship in port ought to be treated as breach of contract.

481. You think, in fact, that when sailors are in port they ought to be treated like other workmen?—Yes.

482. But that when in salt water they ought to be subject to a special code of discipline?—Yes; the necessity of the case requires a special code of discipline, and requires the punishment of disobedience, if it is at all serious, as a criminal offence.

483. Have you any experience of cases of imprisonment of seamen in foreign ports?—Yes; it seems to me that the captain can imprison a seaman without any cause at all assigned, and certainly in the most arbitrary way in a very great number of cases; for instance, all along the west coast of South America. I have heard alleged that in a case where a captain was charged with imprisoning a seaman, he boasted he could get any man sent to gaol by giving a hundred dollars to one of the consuls, or some local authority. At all events they do get men to prison in some irregular and extraordinary way, so that the men do not know by what process it is done.

Mr. *Shaw Lefevre.*

484. Is is done through the consul, do you say?—Yes, sometimes; and I recollect one case where the men were sent to prison by order of a naval court. That was the case of a vessel called the "Rock Terrace."

485. Would that be under the Merchant Shipping Act?—I do not know under what Act it was. This "Rock Terrace" was a vessel which loaded guano, at a small island called Lobos, an island off Callao. Vessels when loading guano are surveyed by the Peruvian Government, and what is called a loadline is affixed to the side of the vessel, a long strip of brass, and they are allowed to load the vessel up to that. The Peruvian Government appear to be insurers of every cargo of guano that they sell; and they take the precaution of having the ships that carry away this guano lightly loaded, I believe; at all events they will not allow them to be overloaded. In

that

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Mr. *Shaw Lefevre*—continued.

that case the loadline was affixed by the captain of the port, as they call him; but the captain of the ship appears to have acted on his own maxim of bribing some officer, and as soon as his back was turned he changed the loadline and put it 14 inches higher on the vessel's side, and loaded the vessel up to that. The crew refused to go to sea with a vessel overloaded. However, the captain went to sea, but when at sea the crew obliged him to put into Callao, upon the ground that the vessel was overloaded, and that they could not go round the Horn with it. At Callao they refused duty until the vessel was discharged, and claimed to go before the consul; a naval court was called, and this naval court, as far as I can remember now, actually sentenced these men to imprisonment and sent them to goal for I do not know how many weeks. After they were sent to gaol by the sentence of the naval court, for which the naval court had not the slightest possible authority (and the most striking thing was that the Peruvian Government should accept such a sentence), the vessel was discharged, and several hundred tons of guano taken out, because, I suppose, no other crew could be shipped unless the vessel were lightened; and the vessel sailed away, leaving the men in gaol, though they petitioned to be allowed to proceed with the ship if she were lightened.

Chairman.

486. Are you quoting from memory the Board of Trade Report?—I am quoting from memory the Board of Trade Report. Every naval court has to make a report to the Board of Trade, and this naval court made its report; and by its own report it shows that it assumed a jurisdiction which the Act never intended to give it, and it has actually ordered these men to be imprisoned for a refusal to do duty.

Mr. *Gorst.*

487. When was that case?—Only a few months ago, some time last year. The naval courts do take upon themselves to do extraordinary things.

Lord *Eslington.*

488. In the early part of your evidence you said that a seaman charged with the offence of desertion, or neglect of duty, is allowed to make a statement, but it is unsworn, and is therefore of no value; did I understand you rightly?—Yes, every seaman is allowed to make a statement; but he is treated only like a prisoner in that respect; he is asked what he has to say, and he makes a statement which, being unsworn, is no evidence, and never can be an answer in law to the sworn evidence given for a prosecution.

489. Do you carry that further, and say that all unsworn evidence is not worth taking?—No; I would not carry it that far, because I know magistrates do act upon the unsworn statements frequently, because they can cross-examine the prosecutor from the facts revealed by the unsworn statement; and sometimes it gives a new complexion to the case, which they may undoubtedly accept, if they think fit, instead of acting upon the sworn evidence.

Chairman.

490. It is like any other criminal proceedings, in fact—That is the misfortune of it; that being

Chairman—continued.

a criminal proceeding the defendant or prisoner not being able to give evidence in his own behalf, his statement never can have the same weight as if it were made upon oath. If it were a civil proceeding he would be entitled to give evidence with the same legal weight as his prosecutor would.

Lord *Eslington.*

491. Now you gave some evidence upon the case of the "Sultan," and you told us that the "Sultan" went down somewhere off Mull. It does not follow that she was unseaworthy because she went down, does it?—No, not at all; she might have gone down by some accident of the sea that would sink the most seaworthy vessel; but still there are some facts, I think, which would show that she was the most unseaworthy vessel. She was bound for Havannah, and her course could not lie in that direction in any way.

492. Do you happen to know, or can you state, what the nature of the weather was at the time?—It was about Christmas, and consequently it is impossible to state what the weather might have been in the Irish Sea or the north of Ireland. There is bad weather somewhere almost every day during the winter months. The strange thing is how the vessel could have got there at all.

493. She might have met a very severe storm, and been driven out of her course?—That might be so. We never can tell what the weather may be at sea from what it is on the land.

494. Now in reference to the case of certain seaman who refused to wash the decks on Sunday morning; is not washing the deck sometimes inflicted as a punishment?—Certainly it is.

495. Then are you aware in this case whether it had been inflicted as a punishment for previous misconduct or not?—I can scarcely answer your Lordship positively upon that matter; but my remembrance is this, that they had given some offence to the mate, had offended him in some way, and that these men were put upon that duty for the purpose of annoying them, at all events, if not for punishing them. And they alleged another reason for not doing it; that they had been actually doing extra duty; that some of the men had been in two watches consecutively without food; that the ship was undermanned, from sickness or some other cause.

496. But you cannot state whether or not this washing of the deck on Sunday morning was inflicted as a punishment for some previous misconduct on the part of those seamen?—Not for any misconduct that appeared. Their statement was that they had given some annoyance to the mate, and that he had taken some dislike to some of them. There was no act of misconduct alleged; it was not ordered to be done for any specific misconduct of any kind. That I am clear of; but because for some reason the mate was displeased with them.

497. Supposing it was inflicted as a punishment and they refused to do what they were ordered, would not that rather aggravate the original offence?—If inflicted as a punishment, I should consider that that punishment ought to be for some specific offence; not from mere ill-humour, or for the purpose of gratifying the ill-humour either of the captain or any other officer. But if there were a specific offence, and they were ordered to do it as punishment for such an offence, and as such it would have to appear properly

Lord *Eslington*—continued.

properly in the log, then, no doubt, it would aggravate it; it would be insubordination then of a bad kind, as resistance to authority.

Mr. *Burt.*

498. With reference to the last question which his Lordship asked you, if the washing of the deck was ordered as a punishment, would you not still think it a very serious matter for the men to be sent to gaol for refusing to do it?—The impression that the matter made on my own mind at the time was that the sentence was most exorbitant, in fact unjust.

499. You would object, I suppose, to the power of imprisonment simply for refusing any order that might be given by the ship's captain?—No, I should not. If an order were given by a ship's captain to do something necessary for the safety or good conduct of the vessel, and a seaman refused to obey that order, I should say he ought to be imprisoned and punished severely. But I should say that the power of the captain in that respect ought to be very strictly defined; that it should be open to a seaman, which it scarcely is now, to show that the order was given for the purpose of giving him annoyance, or for the purpose of punishing him for some trivial offence; and I should say that in that case it ought to be treated very lightly. Captains at present seem to have most extravagant powers. They can inflict countless petty annoyances upon seamen; they can put them upon extra duty, make them do double the amount of work that they ought to do, according to the ordinary way of working the ship. In that way they may make a seaman's life perfectly miserable, and if the seaman only looks surly at them in return, then they have the power of punishing them in the severest way.

500. You think it is a power that should be strictly defined and limited?—Strictly defined and limited.

Mr. *Bates.*

501. You said that the shipowner very seldom prosecuted men for neglect to join their ship?—Very seldom indeed; in most of these cases I have been only a spectator in court; therefore I can only form my opinion by seeing who interfered in the prosecution or who conducted it; but my experience is that very rarely does the shipowner appear to move in the matter.

502. Generally who does move it?—Generally the crimp, or the boarding-house keeper; or the crimp conveys information to the Sailors' Home, and then the Sailors' Home proceed.

503. But is it not usual with the authorities of the Sailors' Home always to come to the

Mr. *Bates*—continued.

owners and ask if they intend to prosecute?—They have to call some witness on their part to prove that the seaman has shipped on board the vessel, and they generally call the clerk, who is sent to take the muster of the crew before the vessel proceeds to sea.

504. But do not the authorities at the Sailors' Home always go to the owners to ask if they will prosecute?—I do not know; upon that point I can only give an opinion.

505. Then you are not aware how that is?—I am not aware whether they are acting under instructions from the owner or not.

506. But do you mean to say that the crimps can prosecute without the owner's order?—Anyone whatever who conveys information to the Sailors' Home can move the authorities of the Sailors' Home.

507. I think you must be in error when you say that the shipping officials are put in motion by the crimps in the case of a man not having gone on board?—The authorities of the Sailors' Home generally get the men arrested in the first instance; then they go to the merchant or the shipping master, and they say, "Will you proceed against these men"; because they must get somebody who will prove that the sailors signed articles; without that of course there is no evidence in the case, and of course the sailors would be discharged. But they appear to be moved by someone before they go to the merchant or the shipowner.

508. I think you will find that before a man can be brought before the magistrates for desertion, the law must be put in motion by the shipowner?—I cannot tell who first moves the authorities of the Sailors' Home; but the ordinary course is that it is by the authorities of the Sailors' Home, which are the principal prosecutors in these matters, that the sailors are taken into custody; then they conduct the prosecution, and they send their officer to the court, who calls the witnesses, and acts as solicitor in the matter, and the merchant's or shipowner's clerk is simply called as a witness to prove that the men signed the articles and did not join the vessel.

509. You say that the men are arrested; are you quite clear upon that point; is it not generally the case that the men are found, and notices given to the owner, and he is asked if he will prosecute?—I cannot speak as to that, but I say that the Sailors' Home seems to assume the function of prosecutor altogether in most cases.

510. That is where the Sailors' Home have furnished the men?—Yes; the Sailors' Home is only the principal mart for the shipping of sailors in Liverpool.

Mr. *Commins*, LL.D.

5 March 1878.

Friday, 8th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Hamond.
Mr. Ashley.	Mr. Shaw Lefevre.
Mr. Bates.	Mr. O'Shaughnessy.
Mr. Bentinck.	Mr. Plimsoll.
Mr. Dalrymple.	Mr. Rodwell.
Lord Eslington.	Mr. Torr.
Mr. Gorst.	Mr. Charles Wilson.
Mr. Gourley.	

THE RIGHT HONOURABLE SIR CHARLES BOWYER ADDERLEY, IN THE CHAIR.

Mr. ANDREW COMMINS, LL.D., re-called; and further Examined.

Mr. *A. Commins*, LL.D. 8 March 1878.

Mr. *Bates.*

511. I WAS asking you, when you were last examined, with regard to the arrest of seamen; you stated, I think, that you believed that the crimps arrested these men?—That they gave the information on which they were arrested; not that they arrested them themselves.

512. By whom are they arrested?—By the authorities of the Sailors' Home; they were the parties I believed that moved the police.

513. You have stated that you are a barrister of 18 years' standing?—About that time.

514. Are you not aware that by an Act of Parliament of 1854, the Merchant Shipping Act, Section 246, a seaman cannot be arrested without the authority of the owner, master, mate, or overlooker, and that the Sailors' Home have no authority whatever?—But they can very easily get the authority of the agent of the vessel or the consignee, or some one representing the master; that is very easily got, I should think.

515. How can they get the authority of the master or mate, when they are at sea?—They can get the authority of the consignee of the vessel, of the ship's husband, or of the owner of the vessel; and any of these would be sufficient.

516. You said you were aware that owners seldom prosecuted these men?—Not directly.

517. As a matter of fact, I may tell you it is seldom or never done?—By the owners, you mean; I thought that was so.

518. Now, in answer to the honourable Member for Chatham, you said this, in reply to Question No. 450; he asked you, "The boarding-house keeper loses the advance note, I suppose, in that case?" (That is in case the man does not join, and has got an advance note), and you say, "Yes; the owner of the ship promises to pay the holder of the note a month's wages 10 days after the sailor has sailed on board the ship." Now are you aware that these crimps or outfitters seldom or never arrest the sailors?—Not directly themselves; but they can very easily set the law in motion by giving information to the authorities of the Sailors' Home.

519. But the Sailors' Home cannot set the law in motion by Act of Parliament?—Not themselves directly, but they do it by the consignee or the ship's husband.

Mr. *Bates*—continued.

520. You are aware that the boarding-house keeper loses when the man does not join?—Yes.

521. Are you aware that such a thing as a boarding-house keeper arresting or bringing an action against a sailor, is almost unknown; are you not aware that he always looks after him, and puts him on board another ship, and thus protects himself?—He may do that; there would be no use to him in bringing an action against a sailor. I have known them to bring actions over and over again on the advance note, and to lose them too.

522. And to win them too?—Not to win them; at least, very rarely.

523. Now you mentioned a ship called the "Sultan"; are you aware that that ship was classed at Lloyd's?—I should suppose so; I am not aware that it was, but I should think it was.

524. Have you ever been to sea?—Yes; short voyages.

525. Never been a long voyage?—No; the longest I have been was to sail from here round to Waterford by sea.

526. Are you aware that in the winter months a ship is very often compelled to go north about?—I daresay. It would depend to some extent upon the wind that was blowing when she left the Mersey.

527. Of course she would not from choice go north about if she were bound for India or Havannah; are you aware that a ship is often compelled to do that?—It would depend upon the wind; a vessel has to sail according to the wind she can get.

528. Did you ever hear of such a thing as vessels going north about, and being lost off the Island of Mull, and never being heard of again?—I cannot say that I have; my knowledge being entirely derived from cases cropping up in the court; a case of that sort would not come before the court, and, therefore, I should know nothing about it.

529. You

Mr. *Bates*—continued.

529. You do not know that there is anything unusual in a ship being lost there?—No.

530. Therefore, it does not follow that a ship is unseaworthy because she happens to be lost?—Not necessarily. I think it was the Island of Coll that this vessel was lost upon. I think I made a mistake in saying Mull.

531. Now you gave us some evidence about the "Wild Rose"; do you know whether the "Wild Rose" was classed at Lloyd's?—I expect she was classed; I should think so.

532. I think you stated to the Committee that there was no survey of the ship?—There was no survey such as the men wished to have in order to prove their case. A survey made while the vessel was loaded with salt, as they alleged, would be utterly insufficient; and, as the law stood at that time, there was no power to take out the cargo; that defect has been remedied by the Merchant Shipping Act of 1876.

533. Would you think it impossible to survey a ship, as to whether she is leaky or unseaworthy, if she has her cargo on board?—I should think whether she is too leaky or in such a condition as to be unfit to proceed to sea from defects in the hull, can hardly be ascertained when she is loaded.

534. Are you aware that a ship, when she is leaky, will show it more when she is loaded than she will when she is light?—I should think not, if she is lying in dock. If a vessel is at sea she will strain, and a great deal of leaking will come from the straining of the vessel, and in that way she may show it more.

535. You are not aware that that ship was surveyed, and reported upon by Lloyd's, a couple of months before she was obliged to put back by the crew refusing duty?—I probably heard it at the time, but it passed out of my recollection.

536. Have you ever seen this report, which I hold in my hand, dated the 8th of February 1876, from the Board of Trade?—Never; I have seen no report of the matter, except what appeared in the newspapers at the time.

537. The "Wild Rose" did make her voyage, I believe?—I believe so, safely too.

538. And I believe she is running yet?—I have lost sight of her ever since then. I have only heard that she arrived at Bombay after all.

539. Now you made rather a serious charge, I think, against the Liverpool lay magistrates?—I am not aware that I made any charge against them.

540. By inference you made a charge against them, did you not?—Perhaps you will read me the answer, and I will correct it if it is wrong. I intended no charge at all against them.

541. You did not intend any charge, you say now?—Certainly none. All I said was this, that as the majority of the lay magistrates are shipowners, they would appear to be in a position apparently hostile to the seamen.

Chairman.

542. Does that include the stipendiary magistrate?—No.

Mr. *Bates.*

543. I think you said that the stipendiary magistrate always had these cases five days out of six?—Five days out of six.

544. Now you said also, in reply to the question of the honourable Member for Chatham, that five out of six of the borough justices of Liverpool are shipowners?—Interested in some way in ships or cargo, or both.

Mr. *Bates*—continued.

545. Have you thought of that since you made that statement?—I have not thought of it since; but I have a list of them, in fact, in my pocket, in the almanack.

546. Will you let me look at it?—I will (*handing in the same*), and you will see that a very large proportion of them are either shipowners, or interested in shipping in some way.

547. I will take the first on the list, James Aikin; do you know him?—Yes.

548. Is he a shipowner?—I should think he would be interested in ships probably; not appearing as a shipowner in the Directory; but when you examine the register of ships you find the names of all sorts of people; there is scarcely a merchant in Liverpool but has a share in some ship.

549. The next one on the list is George Arkle; what is he?—He is a banker, and bankers are interested in ships. We have known a Liverpool bank ruined by lending money on ships.

550. Then the Committee are to understand you as meaning that?—I said "directly or indirectly" interested in ships.

551. The next is Clarke Aspinall; is he interested in ships?—He is a solicitor.

552. Is he a shipowner?—I cannot say.

553. Thomas Avison; is he interested in ships?—I have never seen Thomas Avison on the bench. I have seen the shipowners a hundred times on the bench.

554. Lawrence Richardson Baily; is he a shipowner?—He is an average adjuster.

555. He was, you mean?—He was; and we know how that is connected with ships.

556. Edward Banner; is he a shipowner?—He is a solicitor, most largely employed by shipowners; it is the firm that has the largest interest in the shipowning business as solicitors; shipowners are their clients, and their principal clients.

557. Do you know how many magistrates there are?—I do not know; there are a very large number, I suppose about 40.

558. Now I miss one name of a magistrate who is a shipowner, and I will go to the next, Mr. Beloe; is he a shipowner?—Mr. Beloe is an accountant, and I do not know that he is directly a shipowner, but I venture to say that he is almost certain to be interested in ships indirectly as a part owner or otherwise.

559. Is Mr. Bennett a shipowner?—Mr. Bennett is interested in a number of trades.

560. Is he a shipowner?—I cannot say that he is.

561. Mr. Corbally; is he a shipowner?—I believe he is; I am almost sure he is.

562. I think he is not?—He is out of business now altogether, but when in business I believe he was a shipowner.

563. Mr. John Cropper; is he a shipowner?—Well, I cannot say.

564. Mr. William Crossfield; is he a shipowner?—He is interested in ships; there are very few merchants in Mr. Crossfield's position who are not part owners of one ship or several.

565. Henry Duckworth; is he a shipowner?—I think he is.

566–7. Sir Thomas Earle; is he a shipowner?—I should

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Mr. *Bates*—continued.

I should think he is interested in ships too. I may say that not one out of 50 of those who are interested in ships appears on the Liverpool Directory or on the exchange as a shipowner; but there are very few men in a good position in Liverpool, almost in any trade, who have not an interest in ships. It is only by a person examining the registers that he will see who are interested in ships; and I have often been surprised at the names I have found upon the registers, which I thought had no connection with the shipping trade, doctors, and solicitors, and all sorts of men.

568. James Lister; is he a shipowner?—He is a banker; and the same observation will apply to him as I made with reference to Mr. Arkle.

569. George Melly; is he a shipowner?—He is interested in ships, I believe.

570. Thomas Mills; is he a shipowner?—I think he is.

571. I think by your own admission that you will not repeat that five out of six of the lay magistrates are shipowners?—I repeat that they are either directly or indirectly interested in ships.

572. You said, "I suppose five out of six of the borough justices of Liverpool are shipowners. The chances are five to one that either one or both of the magistrates would be shipowners or indirectly interested in some way in shipping"?—Well, I will venture to say (and my knowledge is merely derived from what I see on the registers of the ships when they come before me in law matters) that if it were examined into, five out of six will appear upon the register of some ships or other as part owners, though they may not appear on the Liverpool Change or in the Directory.

Chairman.

573. Do you say that of the lay magistrates who usually take part in these proceedings?—Yes.

574. That five out of six of those lay magistrates are shipowners?—That they have some connection with ships. The honourable Member for Plymouth has been using the term "shipowners" in the technical sense of men who appear in the Directory as a shipowner and attends on the Liverpool Change as a shipowner; but very few of those who are interested do the one or the other.

Mr. *Bates.*

575. Are you a railway shareholder?—No, I am not.

576. Shareholders of railways are interested in railways, according to your view, in the same way, I suppose?—They are; and consequently I have had to ask shareholders to leave juries.

577. You made a statement the other day about the "Reindeer?"—That was an error. I have since turned the thing over in my mind; the vessel was the "Tiara."

578. You made a mistake in saying the "Reindeer?"—I made a mistake there.

579. You said the men were sent to prison, did you not?—Yes.

580. Because they refused to wash the decks?—Yes.

581. You have never been to sea for a long voyage, you say?—Not for a long voyage.

582. Do you know that it is the universal practice to wash decks every morning on a foreign-going ship, Sunday as well as Monday?—I have heard that it is so.

583. Then, whether they refused to wash decks on a Sunday or a Monday it would be all the same?—Yes.

584. Therefore the punishment is correct?—Technically it would be so; but if men have been in two watches consecutively, and without food (as these men alleged without contradiction), I think it would be a most cruel thing on the part of the captain to order them to wash decks at the proper hour instead of allowing them to wait for half an hour and have dinner, or breakfast, whatever the meal was.

585. Do you know that it is actually necessary at some times in certain seasons and in certain positions, for the safety of the ship and cargo, that these decks should be washed every morning?—That may be so; but I cannot say that I know it. I am not practically acquainted with ships.

586. You are not aware of that?—I am not aware of that fact.

587. In reply to Question No. 472, by the honourable Member for Chatham, which was this: "Are the seamen often brought before the justices of Liverpool for refusing to do their duty; is it a common thing?" you replied: "Almost every day in the week;" will you tell the Committee how many ships sail every day of the week from Liverpool, or about how many?—I do not know; some hundreds, I should say.

588. And when you replied that almost every day seamen are brought before the justices of Liverpool, are there perhaps one or two cases every day, or how many?—They are generally brought up in a batch by a man named Jenkins, who holds some office in the Sailors' Home; and they are accused of having refused to proceed to sea or of neglecting to join ship; and he generally, acting like a solicitor in the matter, calls some one to prove that they have signed articles, and some one who proves that they did not join the ship at the prescribed time; and upon proof of that, which is quite sufficient in law, they are convicted and sent to prison.

589. How many do you think there are every day who are brought up?—I could not say; I am not in court every day.

590. You have given a great deal of evidence before this Committee, of which you do not know the facts yourself, but by hearsay?—Yes, certainly.

591. Will you, in the same way, tell us how many you think are brought up every day?—I cannot say; I seldom go to the police court without seeing some men brought up.

592. Are there 20, do you think, brought up every day?—No.

593. Are there 10?—I think not.

594. And yet you say there are some hundreds of sailings every day?—I do not know; I may be wrong in that.

595. But in answer to the question of the honourable Member for Chatham whether seamen are often brought before the justices, you say, "Almost every day in the week"?—I do not go there every day myself, but when I do go there I find them there; and so from that I assume that they are brought almost every day.

596. Now you gave us some evidence about some steamship which was going to South America

Mr. *Bates*—continued.

America on a voyage which was to continue three years; it was in answer to a question by the honourable Member for Chatham, Question No. 478: "When a seaman breaks his contract, it is treated as a criminal offence, but is it on the other side so treated?" and your answer is, "No, not at all;" and then you gave as an instance some steamer; have you found out the name of that steamer?—No, I have not; I was entirely dependent upon mere recollection.

597. Do you know, from your own knowledge, what you stated about that vessel?—I do; I was engaged as counsel for the seamen; that is the way I have got my knowledge; from being in court.

598. Is that the celebrated case in which you were employed by Mr. Allcard?—I have never been employed by Mr. Allcard; I have been retained by solicitors in many cases in which he acted as clerk to the solicitors, but never by him.

599. This is not the case in which he employed you?—He may have acted as solicitor's clerk.

600. You know, I suppose, that he is not a solicitor's clerk now, and has not been for some time?—I know that he is, on the contrary, at the present moment.

601. Who is he clerk to?—To some solicitor named Boardman; counsel do not go into the relations between solicitors and their clerks; they receive a brief through the clerk, who acts mechanically.

602. Question 483, which was put to you by the honourable Member for Chatham, was this: "Have you any experience of cases of imprisonment of seamen in foreign ports?" and your answer is, "Yes; it seems to me that the captain can imprison a seaman without any cause at all assigned, and certainly in the most arbitrary way in a very great number of cases; for instance, all along the west coast of South America I have heard alleged that in a case where a captain was charged with imprisoning a seaman, he boasted he could get any man sent to gaol by giving 100 dollars to one of the consuls." Now that is a very serious charge against the consuls?—I think that is an error as to the consuls; the phrase used, I think, was that he could get what he chose done by any of the authorities of Peru for 100 dollars; it would be indirectly a charge against the consuls, as the imprisonment of a British subject in any foreign port would be a matter which should naturally come under the cognisance of the consul; and if it can be done through corruption by any of the foreign authorities it must imply corruption on the part of the consul.

603. But you go on to say further: "At all events, they do get men to prison in some irregular and extraordinary way, so that men do not know by what process it is done"?—I can only say what the men report; and that is the impression left on my mind by many dozens of cases where the men were imprisoned in South America.

604. The fact, you say, is that the captain gives 100 dollars as a bribe?—No, I said that a captain made, or was alleged to have made, such a boast. I do not say that the boast was an expression of truth, and I am not responsible for what any captain may state, nor for what the seamen may state. I only give you the information that has come to my knowledge in the ordinary way in which a professional man gets his information on these matters; it may be false or otherwise.

Mr. *Bates*—continued.

605. Now, do you know anything of ports in India?—I have been engaged in a great number of cases where men were imprisoned in India, very arbitrarily, as I thought, by captains.

606. In India, in British ports?—Yes.

607. You are aware that we have no British consuls in British ports?—No, not consuls; they were magistrates, of course.

608. And the same reply will apply to magistrates in a British port, will it?—The reply would apply in this form, that I believe if a master of a vessel wishes, he can, upon a charge oftentimes very trumpery, have seamen imprisoned in British ports just the same as in foreign ports, and then sail away and leave them behind.

609. I am afraid you have not studied the late Act of Parliament?—I know that there are provisions enough in Acts of Parliament, the Merchant Shipping Act especially, to prevent offences of that sort, but I know, at the same time, that they have very little effect.

610. Now you gave us a most extraordinary account last time, in answer to Question 485, of a vessel called the "Rock Terrace;" did you make the statement you did make then from your own knowledge?—I made no statement from my own knowledge of these facts; I only state them from information I have received in the conduct of causes in court and not otherwise.

611. From whom?—From the witnesses who are sworn and examined; and their evidence may be true or it may be false, and I do not vouch for its being either one or the other.

612. As a professional man, as a barrister of 18 years' standing, do you think that you can safely make statements upon what you heard from these men?—I do it every day in court. I have to state the evidence that supports my case, and I have to discuss the evidence against it, and I am merely doing the same here. The knowledge I get is got from the same source in both cases. I am only giving my experience as a barrister, not as a shipowner, or as a sailor either.

613. Now, in your answer to Question 485, you stated, or you led the Committee to believe, that the load-line was altered by the captain?—In that case of the "Rock Terrace" it was admitted, as the captain admitted it in his evidence. If I remember rightly, his evidence was taken by Commission.

614. The evidence is here before me?—It may be. I am merely stating my remembrance of it; that he did not deny that he altered the load-line.

615. Are you aware that the Peruvian surveyors first altered the load-line, and made it 15 inches lower than it ought to be?—There was not a particle of evidence to that effect, and the captain admitted that he altered the load-line himself; that the load-line had been fixed by the captain of the port, and that he himself, thinking he could do it safely, altered the load-line, though he knew it was an illegal act. I am speaking from a recollection of his evidence, but you have the evidence before you, and I have not. I have never seen it since I took it down.

616. I think you stated that the ship discharged some hundreds of tons of guano?—About 200 tons, I think it was stated.

617. Would you be astonished to hear that she discharged nothing?—I would be very much astonished.

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Mr. *Bates*—continued.

618. Here is the finding of the naval court: "The court, having deliberately weighed and considered the evidence in support of the charges, as well as what the accused had to say in their defence, found the five prisoners guilty on both charges, and sentenced them to be imprisoned for a period of 12 weeks, with hard labour, in the Callao gaol, to be discharged from the British ship 'Rock Terrace,' and to forfeit the whole of the wages due to them; the wages so forfeited to be applied first to liquidate the expenses of these proceedings. Secondly, the cost of their imprisonment, and other gaol expenses, and the balance to be retained by the owners of the 'Rock Terrace,' as compensation for the expenses of hiring other seamen, and the delays caused by these proceedings"?—I have nothing to do with the naval court. I am giving you the evidence which I extracted from the captain himself in examination in the Court of Passage, Liverpool; his evidence being taken as he was about to proceed to sea. I know nothing of the naval court, or the evidence taken before it, except that a report of it was produced to me in my instructions on the case.

619. I suppose you are aware that the crew were punished?—Yes, they were punished in Callao, and the suit was to recover the wages owing to them up to the time of their discharge at Callao.

620. And the mate, I suppose you are aware, was punished?—I cannot remember as to the mate; he was not interested in the suit, and I cannot say, but I know that one of the crew, who was the captain's principal accuser in the matter, was paid off his full wages at Callao, and no charge whatever was made against him, and he was the principal accuser of the captain; either the second mate or the carpenter.

Lord *Eslington*.

621. Did not the Act of 1873 for the first time give the Board of Trade the power of stopping a ship on the ground of overloading?—Yes.

622. And further, that power carried with it the additional power of lightening the ship?—The authorities, I believe, of the Board of Trade were not very clear what amount of authority it gave them; at all events, in that particular case of the "Wild Rose," they seemed actually not to know how to carry out the provisions of the Act themselves; they did not seem to know the full extent of the powers given them by the Act; it was shortly after the passing of the Act.

623. But do you not know cases in which the Board of Trade have directed, under the powers of that Act, ships to be lightened?—I believe there were some. Now the Act of 1876 gives ample powers.

624. They had that power under the Act of 1873, I understand you to say?—I believe they had, but they did not exercise it in this case.

625. Might they not have thought that the ship was not overloaded?—I think that was not the reason, but that the difficulty in that case arose from their doubt as to whether they had the power to discharge the ship to survey her, or to pay for the discharging of her; for it was urged very strongly by the solicitor who appeared on behalf of the owners of the vessel, that if the vessel were to be discharged for the purpose of survey, it would have to be done by the owners, and at the owners' expense, and that this would have been a cruel hardship to them.

Lord *Eslington*—continued.

626. That was the "Wild Rose"?—Yes.

627. And the "Wild Rose" proceeded on her voyage, and arrived at her destination?—I believe she did; I have heard that she took in a new crew at the first port she touched at, and that they also were discontented and deserted her.

Mr. *Plimsoll*.

628. With respect to this ship, the "Tiara," in reference to which you speak of six men having been sent to gaol for 12 weeks for refusing to wash the deck on Sunday morning, was there any other penalty in the way of forfeiture?—The usual forfeiture of their wages.

629. Can you give the Committee the names of the magistrates who committed them?—I cannot, indeed.

630. I think you stated that they were shipowners?—I cannot say that they were directly, except in the sense which I have explained to the honourable Member for Plymouth. I only assume it from the reasons that I have already given, that you rarely find a bench of magistrates in Liverpool in which it is not so; and the best attendants on the bench are shipowners and the most attentive to their duties.

631. You are aware that by the existing Acts there are no less than five authorities connected with each ship who may order the arrest, without warrant, of the seamen?—Yes.

632. I believe, though I am not certain of it, that any of these people may delegate their authority by writing?—I believe they do delegate their authority, as a fact, to this gentleman I have spoken of, belonging to the Sailors' Home; but I do not know whether they do that in writing or no. As a matter of fact, it is through him that they do it nearly always. When shipowners, according to my observation, proceed directly against a seaman, they do not give him into custody, but take out a summons against him, which is a deal better way.

633. I think the drift of certain questions which have been put to you goes to show that the shipowners themselves do not arrest these men, and are not particularly anxious to have them arrested; but with so many authorities it is not difficult to get it done without them, is it?—Not difficult at all. I do not think the shipowners appear anxious to do it.

634. Therefore it would not be a hardship upon them if we altered the law and destroyed this power?—I do not think the shipowners would suffer. For refusing to proceed to sea, or absence from duty, or any of these offences under the 243rd section, it would necessitate the shipowner obliging the men to be on board a day or two before the sailing, instead of, as now, they provide that they shall be on board almost at the moment of the sailing of the ship; and this is what gives the opportunity to the seamen to absent themselves.

Mr. *Rodwell*.

635. I suppose that in your professional capacity you act occasionally for the shipowners and masters of vessels, as well as for the men?—Yes.

636. That gives you a familiarity with these questions?—Yes; and with both sides of the case.

637. I want

Mr. *Rodwell*—continued.

637. I want to ask you, with reference to your answer to Question 458, which was put by my learned friend the Member for Chatham; he put to you this question: "In cases where the seamen are brought before the lay magistrates, in what position in life are the magistrates ordinarily;" your answer is: "I suppose five out of six of the borough justices of Liverpool are shipowners," and so on; I understand you meant to convey nothing in that answer of yours, but that you merely mentioned it as a fact?—That is so. I do not convey the slightest imputation on the manner in which the magistrates of Liverpool discharge their duty. I believe they do it well; but occupying the position they do, as being known to be shipowners or interested in shipping it will appear to the public, and especially to the seamen, to be a hardship to them to be tried before such a tribunal.

638. Therefore you, acting as you do for both sides, say that you see no ground to allege unfairness or favouritism on the part of that tribunal?—Certainly, I have never known any unfairness; they do their duties honourably and well, I believe.

639. Now at No. 456, you give another answer on a legal point; you seem to raise an objection to the state of things under which the seaman cannot give evidence; do you think that the statement of the seaman on oath would have much more effect with the tribunal than a statement made not on oath?—I think it would.

640. In what way?—In the first place it would have all the sanction of an oath; and unless a statement made by a man on oath carries more weight, I see no reason to have sworn statements at all.

641. I ask you, supposing the man is to make a statement, would you attach more importance, when a man is brought before the magistrates, to a statement made by him on oath than to a statement made without the oath; I put it to you professionally?—I do not know whether you wish to have my professional opinion about the value of an oath in legal proceedings.

642. I ask you, as a professional man, whether you would seriously attach more importance to a statement of one of these seamen, if they took their oath, than to the statement if they made it without the oath?—I would. I think ordinary people are more careful of their statements when on their oath; people in the position of seamen.

643. I am asking you about this class of people that we are dealing with now; I ask you whether, professionally, if you had to adjudicate, you would attach more importance to the statement of a man after having been sworn, and making a statement on oath in contradiction of some charge made against him, than you would to his statement without the oath?—Certainly I would; as a magistrate I should be bound to do so, and for this reason: I will assume that a prisoner is prosecuted, and is prosecuted on sworn evidence; that sworn evidence, unless contradicted, I should be bound to receive; and in accordance with my oath as a magistrate I should be bound to decide that case according to the sworn evidence entirely; and if the evidence on the other side was unsworn I should be bound to disregard it. In strictness magistrates do not always do so, but I should be bound to do so if I acted rigidly, according to my oath as a justice.

644. Is not that rather technical than substantial?—But after all everything depends upon technicalities in legal matters.

Mr. *Rodwell*—continued.

645. You say on technical grounds you would attach more importance to such a statement on oath, but I understand not on substantial grounds?—On technical grounds I should be bound to do so.

646. Now, to turn to another point. It seems to me that in answer to Questions 481 and 482 you draw a distinction between the condition of the seaman before he joins and after he has signed his articles, and the position of the seaman when he has once joined his ship. I am right, I think, in that?—Yes.

647. The question is this: "You think, in fact, that when sailors are in port they ought to be treated like other workmen?" and you answer, "Yes." Do you apply that to a seaman who has signed his articles, and has undertaken to join a vessel in port?—Certainly.

648. The next question is: "But that when in salt water they ought to be subject to a special code of discipline?" and the answer is: "Yes; the necessity of the case requires a special code of discipline, and requires the punishment of disobedience, if it is at all serious, as a criminal offence." Now I see you put those words in, "as a criminal offence;" do you limit the construction to cases where it is a criminal act of disobedience, or do you extend it to a mere act of disobedience?—Certain acts of disobedience are made criminal. Under the Merchant Shipping Act certain acts of misconduct on the part of seamen, breaches of discipline, are made criminal acts, and they are liable to be punished criminally on prosecution before a magistrate.

649. But if the act was criminal, it would be unimportant whether it was committed before the man joined the vessel or afterwards?—I should say that while the vessel was in port, and we could get the assistance of the civil authorities there, the act should not be treated as a criminal act at all, but it should be left to be a matter of mere civil contract.

650. Would you draw any distinction between an act of disobedience when a man has joined a vessel, and an act of disobedience before a man has joined a vessel?—Certainly.

651. Would not many acts of disobedience which a man might be guilty of after he had joined his vessel be less serious than acts of disobedience which he might commit before he had joined?—I do not know. Given the same act, I should say it might be very serious. When a man cannot get the assistance of the civil authorities, an act may be very important which may be utterly unimportant in port.

652. But cannot you conceive that many acts which a man might be guilty of before joining would be more serious than acts of disobedience of which he might be guilty, with regard to discipline, after he had joined?—I could conceive such; but if there are such, I should like that they should be described specifically in the Act, and that ordinary breaches of contract should not be among them.

653. Supposing a vessel is ready to start, and a man will not join the vessel after he has signed articles, and the captain comes and sees him, and orders him to come on board, is not that an act of disobedience?—It is an act of disobedience; but there is no reason why arbitrary powers should be given to a captain in port. Necessity requires

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requires that he should be entrusted with such arbitrary powers at sea. They may be abused, of course, as all arbitrary power may be.

654. Supposing a vessel carrying mails is about to start, and having got a valuable cargo on board, would not that act of disobedience cause a very serious loss to the public, and the owner, and the people on board if that vessel were delayed?—I never heard of a desertion from a mail steamer in Liverpool.

655. I ask whether the fact of a man refusing to join after he has signed his articles may not lead to quite as serious and more serious consequences than an act of disobedience when he has joined?—That may be; but if we take an analogous case, the driver of a mail train, he may step off his train, carrying the mails, when the moment comes to start it from the country to London, and he may go and get drunk, if he thinks fit, and leave the railway company to provide another driver, and by doing so he may endanger the lives of thousands of people by disarranging the traffic of the line; yet he is not a criminal.

656. And you think that is an analogous case?—I think so.

657. Suppose five or six seaman all refused to join at the same time, and the vessel was obliged to go short-handed, or not at all, would not that be a serious matter?—A case of civil breach of contract and loss; but we have cases every day of enormous loss. A man may drive over a passenger in the street and kill him through gross negligence.

658. You put those cases on the same footing as the case we are talking of?—They are all cases of civil trespass, or breach of contract, and should be treated as cases of civil trespass, or breach of contract.

659. As to Question 485, about your answer to which you were asked by my friend the Member for Plymouth, you said that the captain of the "Rock Terrace" admitted the facts which you stated last time in your evidence?—Yes, but I was speaking of his admitting them in cross-examination by me at the Court of Passage, and I believe the honourable Member for Plymouth was referring to some examination of the captain in the Naval Court.

660. This seems rather a strong and strange admission: "In that case the load-line was affixed by the captain of the port, as they call him; but the captain of the ship appears to have acted on his own maxim by bribing the officer of the port"; did he admit that he had bribed the officer of the port?—He admitted that it was done with the knowledge of the authorities of the port.

661. Did he admit that he had bribed the officer of that port?—I did not say he did.

662. Your statement goes forward to the public thus in the "Rock Terrace" affair: "In that case the load-line was affixed by the captain of the port, as they call him; but the captain of the ship appears to have acted on his own maxim by bribing the officer of the port." Now I want to ask you whether you know anything about the facts of that, or whether the captain admitted that he had done so?—Upon my cross-examination of him, he admitted that he had altered the load-line, and he justified himself for doing that by saying that the authorities of the port (that would be the captain of the port, I assume) knew everything about it. I should assume that the captain of the port would not risk his situation, if it is worth anything, by being guilty of connivance at a breach of the port regulations without having some consideration for it.

Mr. *Rodwell*—continued.

663. You have given a great deal of this evidence from hearsay, and from the instructions which you receive in briefs?—Yes.

664. Is there any ground for saying that this captain admitted that he had been guilty of bribing the officer of the port?—I give you the process of reasoning through which I arrived at that answer; and that is the ground for saying it, and you can examine the ground.

665. Do you wish to qualify the answer you gave at No. 485?—I do not know that I can.

666. Then will you tell me what are the facts which justify you in the assumption of your statement that this captain bribed the officer of the port?—The captain of the vessel admitted, under cross-examination, that he had altered the load-line. It was alleged that he had made this boast to his own men, that he could get what he liked done by giving a hundred dollars to any of the Peruvian authorities.

667. Did that come out in cross-examination?—No, it was a statement made by witnesses on the side I was on; it may have been false.

668. Which side were you on?—I was on behalf of the seamen, and the captain was examined on behalf of the owner of the vessel; it was an Admiralty suit for wages. This was a part of their statement, that he openly boasted that he could get what he liked by giving a hundred dollars to one of the Peruvian authorities, something of that sort.

669. May I put it that it is an inference of yours from the evidence?—One of the facts from which I made the inference was this boast, which was sworn to by a number of his own seamen; that he could effect any object he liked, almost, by a bribe of a hundred dollars to one of the Peruvian authorities. Another fact was this, that he admitted himself that he altered the load-line after it had been fixed by one of the Peruvian authorities. The third fact is this, that upon cross-examination, when I asked him how he justified himself in doing it, he said that what he did was done with the knowledge of the Peruvian authorities.

670. But doing a thing with the knowledge of the officer of the port is a very different thing, is it not, from bribing the officer of the port?—I see no reason why an officer of the port should allow such a gross piece of misconduct as that contrary to the regulations of the port, and contrary to the laws of this country, unless he had some consideration for it.

Mr. *Ashley*.

671. The honourable Member for Plymouth asked you a question with reference to the justices of Liverpool being interested in shipping, and he asked you as to whether the shareholders of a railway are interested in the railway; are you aware that it frequently happens that the judges in the superior courts ask for the consent of both sides in a suit to their hearing the case on the ground that they are interested as shareholders in the railway involved?—I have frequently heard that consent asked; in fact, I do not think they would try a case in which they had any such interest without asking it.

672. Now, with reference to what my honourable

Mr. *Ashley*—continued.

able friend, the Member for Cambridgeshire, asked you about the statements on oath of a sailor, is it, in fact, not the oath that is so important to elicit attention, but that it is his being put as an ordinary witness subject to cross-examination?—Yes, that is one of the means by which you get at the real truth; and the other is a fear of prosecution for perjury; those are apart from the religious sanction.

673. And is it not a fact that so sensible is the Legislature of that, that in the case of shipowners they have enacted that they, when prosecuted by the Board of Trade, shall be examined subject to oath?—Yes, they have that privilege, and the sailors have not; they are competent witnesses on their own behalf when prosecuted for unseaworthy vessels.

674. So that if this was done, as you advocate, the sailors would be put on the same footing as the owner?—Yes, and the same footing as a pub lican is put on now for any trangression of the licensing law.

675. As to the question which my honourable friend asked you, putting the hypothetical case of a mail boat, with a valuable cargo, being stopped by sailors refusing to go to sea, there are a great number of such mail boats starting from Liverpool; have you known any such instance?—I never knew any instance of any one of those vessels being delayed by seamen refusing to go on board. In a place like Liverpool the mate or boatswain could have a hundred seamen almost at once if they were wanted.

676. These desertions are principally from a different class of vessels altogether?—Yes.

677. As to the question of advance notes, referred to at No. 450, have you any knowledge of who the persons are who cash these conditional advance notes, as I may call them?—It is almost made a trade by what are called sailors' boarding-house keepers, and sailors' outfitters. In Liverpool there are two trades, neither of the highest class, that make a living by sailors: one is the boarding-house keepers and the other is outfitters, and the advance notes are usually cashed either by one or the other.

678. These advance notes are only, as you say, payable 10 days after the sailor has sailed on board the ship; could he get that note cashed by any banker or anybody who discounts bills, or anybody whose business it is to discount bills?—They would not look at it; no one but these people would take it; in fact the very invention of an advance note seems to have been for the benefit of these people.

679. So that, in your opinion, this form of advance note, which is only payable on a condition, virtually drives the seamen into the hands of these crimps and outfitters?—Almost of necessity.

680. Are these advance notes almost universal?—Almost universal. I do not think they are given upon the great steamship companies lines, but they are almost universal upon casual ships, ships not belonging to lines of packets, or that sort of thing.

681. Have you ever heard of an absolute advance note, an order to a banker to pay so much?—No; it is always conditional upon the sailor sailing.

682. Supposing it were made an absolute payment, then, I suppose, the sailor would have less difficulty in getting it cashed, and would get a larger sum of money for his advance note?—Then he would get it cashed by some respectable person, instead of going to the boarding-house keepers or the outfitters.

683. In that case the shipowner, I suppose, would be more careful of the character of the man to whom he gave the advance note?—Yes.

684. It is now the rule to give the advance whatever the character of the man, is it not?—Almost universal, whatever his character is.

685. And a discount is charged by the crimp; can you give me any idea of what it averages?—Oftentimes the sailor has parted with his sea stores, his kit; and he cannot sail without getting a new one, and he has to go to an outfitter, and the outfitter gives him the worst possible stuff at the highest possible price; so that I should say the discount he is charged will amount to 20, 30, or 40 per cent.

686. I have had a letter handed to me from a solicitor in a seaport, who says that it is a great hardship upon sailors charged with offences before a police magistrate not to have any funds to obtain legal assistance, and it is suggested that power should be given to demand an advance of wages accrued from a shipowner when they are so charged; do you think that sailors have been unable, on many occasions, to obtain legal assistance from want of funds?—Yes; but still I should see no reason for obliging the shipowner to defend them; they may be altogether in default, and it would be a hard thing for the shipowner to suffer in the first instance from their breach of contract, and in the second instance from having to bear the cost of defending them.

687. I suppose, if a solicitor knew that a sailor had a good case, and wages due, he would take the chance?—Yes, there are always plenty of solicitors to take the case up if there is anything to be made by it.

Mr. *O'Shaughnessy.*

688. The 243rd section of the Act of 1854 is the section of the Act under which these proceedings are taken?—Most of them.

689. The offences of desertion, of neglecting to join, of quitting without leave, of committing certain acts of disobedience, of continued disobedience, of assault on officers, of combining to disobey, of wilful damage and embezzlement, and of smuggling, causing loss to the owner, are all dealt with under that 243rd section?—Yes.

690. With regard to smuggling, causing loss to the owner, to wilful damage and embezzlement, and to assault on officers, I suppose you have no objection to their being treated as criminal offences?—Certainly not.

691. Either in port or at sea?—Certainly not, no objection whatever. You will find the cases which I object to have treated as criminal offences principally under the 1st and 2nd subsections of the 243rd section.

692. Desertion, neglecting or refusing to join or to proceed to sea, absence within 24 hours before sailing, and absence without leave, quitting without leave before the ship is secured, and acts of disobedience?—Yes, those are all offences that may be and mostly are committed in port.

693. Who is generally the prosecutor on the record on the summons under this 243rd section?—Well, the summons never shows who is the prosecutor. As there is no information required to be laid in cases of offence under the 243rd section, the prisoner is given into custody by some

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Mr. *O'Shaughnessy*—continued.

some man, taken as if he were a felon; there is no informant, and you never can tell from whom the information came, or who put the law in motion in the first instance.

694. As a matter of fact, who is it that arrests generally in the first instance?—A policeman arrests a sailor who has refused to proceed to sea, or neglected to join his ship; he arrests him in the street from information received, the same as if he were a murderer or burglar; and he is not bound to tell him who gives him the information; he brings him in to prison, and the next morning an officer from the Sailors' Home in Liverpool appears to prosecute him, and calls a couple of witnesses to prove his case. As far as the public is concerned, or can see, Mr. Jenkins, of the Sailors' Home, is the prosecutor.

695. From your professional experience, can you say whether the people known as the crimps, the lodging-house keeper, and the suppliers of clothes, instigate those arrests to a very large extent?—I believe they do; and the information given me by the honourable Member for Plymouth strengthens me in that belief. The crimp, as you call him, is in danger of losing this advance that he has made; he has cashed the advance note, or given clothes, or food and lodging for it, and is in danger of losing it; but, instead of losing it, he finds another ship, gets another advance note, and saves himself from loss, because he compels the man to go to sea in the second ship by telling him, "I will get you taken into custody by a policeman the moment you leave the office."

696. Then the main use made of these criminal clauses is to secure the class known as crimps in the advances they make?—I should assume that they make a very extensive use of them in order to secure themselves from loss.

697. As I understand, some intervention on the part of the shipowner is necessary in order to enable the crimp to carry on his proceedings?—He calls some person on behalf of the ship, the ship's husband, or consignee of the ship, or a clerk from the office; it is generally the clerk; he himself as a rule witnesses, or is able to call some one from the Sailors' Home who proves the signing of articles; the other thing required to be proved is, that the sailor did not proceed to sea; this he can prove by calling a clerk from the office of the shipowner, or the consignee of the vessel.

698. Do you think, in the majority of cases, the intervention through a clerk or secretary, or otherwise, of the shipowner, is instigated by the crimp?—I should say that the consignees of vessels will be interested in protecting their principals, and that they acquiesce in proceedings, no matter how they are instituted, or who may be the first mover, and they send a clerk to prove that the ship has proceeded to sea.

699. But they seldom originate the thing in the first instance?—I do not think they do. I only see the thing from the outside, and cannot tell the way that the wheels may have revolved.

700. So far as you see, it is for the benefit of the crimping system, and the maintenance of it, that these criminal proceedings are used?—Seeing that those are the parties who principally benefit by the proceedings, I assume that they institute them.

701. You say that the companies of the Cunard class seldom or never have recourse to these proceedings?—Rarely, if ever; there are no desertions from their vessels.

Mr. *O'Shaughnessy*—continued.

702. You seldom see, in their case, crimps instituting proceedings for the purpose of recovering advance notes?—No, they never appear at all.

703. But they do appear and institute proceedings in the case of casual ships, as I understand you?—It is in ships that do not belong to established lines that these desertions and refusals to proceed to sea, and so on, happen; they rarely happen in established large lines of vessels.

704. We have, therefore, the two facts that both the crimping system and the use of the criminal prosecutions are absent in the case of vessels like the Cunard vessels; and then you have the other fact that the crimping system and the use of criminal prosecutions is usual, and that you find them in the case of those casual ships. Now, do you not think that it is a fair inference from that to say, that if you did away with the existence of the crimping system you would to a great extent do away with the necessity of these criminal prosecutions?—I do not know how you can do away with the crimping system; there will always be people who will take advantage of sailors, but I certainly should like that the law should not give any assistance whatever to their unholy operations.

705. Do you not think that if this system of crimping were restrained, as far as it is possible, by legislative interference, and, if necessary, by the abolition of advance notes, that would have the effect of removing the necessity for criminal proceedings?—If the Legislature could see its way to abolish the advance note, which I fear can hardly be done, it undoubtedly would, as I believe, remove one fruitful cause of desertion and absence from duty, and refusing to proceed to sea.

706. Will you tell me why it is that you consider it would be so difficult to abolish the advance note?—I do not think that the shipowners themselves would desire to have the advance note abolished; and so long as they are willing to give advance notes to seamen (and seamen will always be found too eager to get them), I am afraid it would be very hard to do it, even if the Legislature were to try.

707. Do you think that the objection of the shipowners to the abolition of advance notes is the great difficulty in the way of their abolition?—I think it is, for this reason: that if they objected to them they could abolish them to-morrow, without any assistance from the Legislature.

708. You think the shipowners could to-morrow get rid of those advance notes?—In a moment, if they thought fit; there is no compulsion whatever upon them to give them.

709. Supposing the power of imprisonment were abolished, do you not think the system of advance notes would drop of itself?—I think it would fall along with it.

710. Supposing it did fall, do you think that any inconvenience would result to the shipowner?—I think not, there might be a little inconvenience in passing from one system to another, as there always is, even in passing from a bad one to a better one; but after that was over I think it would lead to the advantage of the shipping trade, both seamen and owners.

711. Do you not think it would be a great advantage to the seamen to abolish them?—Most undoubtedly.

712. Do

Mr. *O'Shaughnessy*—continued.

712. Do you not think it would get rid of the temptation to dissipation and extravagance, and spending their wages before they have earned them?—It must be an immense encouragement to dissipation and extravagance to know that a seaman who has spent all his money, who has got nothing but what he stands in, may at any moment go to a crimp and get furnished with fresh clothes and a new kit, with a certainty of its being paid for out of an advance note.

713. Therefore if it were practicable you, from your experience, would be in favour of the abolition of the advance note?—Yes, certainly, if it were practicable.

714. You think it would do away, to a great extent, with crimping?—Yes, and with the men being sent on board drunk, and it would do away with the system of the men absenting themselves from duty, and not going to sea with the vessel, and so on.

715. And remove to a great extent the necessity of these criminal proceedings?—To a very large extent.

Mr. *Dalrymple.*

716. You said that companies such as the Cunard Company, seldom or never engage in these prosecutions; have you ever known such a company engage in one of these prosecutions?—Seldom, if ever. I have no remembrance of any case. Their seamen are employed permanently, and they get a good class of men, and they never are exposed to the necessity of any such proceedings.

Mr. *Gourley.*

717. With regard to the Cunard Company, and the other great companies, is it not the fact that they have the best seamen to be found in the country?—Probably the best in the kingdom, both seamen and officers; they give the largest salaries, and of course in that way they will get the best.

718. They are enabled through the great contracts they possess to keep the seamen on all the year round?—Yes; it is virtually a permanent engagement on their vessels.

719. Will you state the annual number of desertions in Liverpool?—I could give no opinion upon that; the authorities of the Sailors' Home in Liverpool would be able to give, probably, more information upon that than you could obtain from any other source that I know of.

720. Do you think that if the present law of arrest, the law which makes the seamen liable to arrest without warrant, should be abolished, that would have a tendency to increase or lessen desertion?—I think it would lessen desertion rather than increase it.

721. Why do you think it would lessen desertion?—By diminishing the power of the boarding-house keepers and the sailors' outfitters over the sailors. I have already given as a reason that I believe there are often desertions because the sailor thinks he has been robbed or cheated by the boarding-house keeper or the outfitter, and he deserts maliciously, in order to put him to a loss; I mean so that he may lose his advance note.

722. You did not say, did you, that the shipowner would assist the outfitter to prosecute the seaman afterwards in consequence of his desertion?—I fancy that, if the authorities at the Sailors' Home send to any shipowner, and say, "We want to prove that your ship So-and-so proceeded to sea," their clerk would be sent to prove that.

Mr. *Gourley*—continued.

723. Is it not the fact that a large number of the desertions which you have in Liverpool arises from the fact of your having a large number of public-houses along your dock side?—I do not think that has any influence at all on the matter; if the number of public-houses were not one-tenth of what it is, there would be still quite sufficient to supply the wants of the sailor up to the condition of drunkenness he wants to get into.

724. Do not you think that if the public-houses were abolished that would lessen the number of desertions?—I do not think it would; I think it would have rather the contrary effect, unless you were to abolish public-houses altogether. The more you concentrate drink generally, the more excessive it becomes upon the part of the persons who are assembled to drink. If you have 100 people drinking in one public-house, there will be more drink consumed per head by each of them than if they are distributed in lots of 20 among five public-houses.

725. You think the number of public-houses that you have along the dock side does not tend to increase the temptation to drunkenness and hence to desertion?—Not in the least. A sailor does not need the temptation of a public-house window to lead him to drink; the principal temptation is the desire for drink and the money in his pocket.

726. You said, in one of your answers, that advance notes might, if shipowners were to agree to it, be dispensed with; what would you substitute in place of advance notes where you find a seaman wishing to engage for a long voyage, and he is without the means of providing himself with an outfit?—There is no difficulty at all upon that matter. A very large number of ships go to sea with all the necessary stores to provide their seamen on the voyage with an outfit of every kind; and they furnish them with them as they require them during the voyage, charging them oftentimes as high a price as the outfitters charge them. I see no difficulty in their having these stores on board, and furnishing the seaman with them as soon as he joins, and charging him with them, instead of his having them from the outfitter.

727. Would not that be an interference with the freedom of contract as between the seamen and the owner?—Not at all. If a seaman is without stores, there is nothing to prevent him from purchasing from the owner. Let him get them before coming on board if he can; but if he cannot, these stores would supply the wants which the crimp now supplies.

728. You would advocate, in fact, the truck system on board ship, as I understand you?—If a seamen wishes to proceed to sea and has drunk himself out of his kit, then he cannot proceed to sea till he gets the kit from somebody; at present he has no means of doing that except by getting into the hands of the outfitters, who charge him in the most outrageous way for anything they give him, and he pays them by an advance note. It would be a great convenience if the shipowners would furnish him with the things at their stores; and they would deal more honestly with him.

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Mr. *Gourley—continued.*

729. You would not see any objection to an alteration by which the shipowner should furnish the seamen with what they get from these outfitters?—Certainly, I see no objection to it; I believe it is done in American vessels constantly, and sometimes in English vessels too.

730. You were asked a question about the law which now regulates smuggling; I think the honourable Member for Limerick asked you who the prosecutors were in cases of smuggling?—He asked me whether I did not think that cases of smuggling under the 243rd section of the Act of 1854 should be always criminal offences; I think they should.

731. Do you not think that the law which now regulates smuggling should be in some measure altered, being found to be so arbitrary, compelling the magistrates to fine without any option?—I think so. I think there are oftentimes very cruel cases; and not only have they no option to fine, but no option to avoid giving imprisonment in certain cases for a very lengthened period; and the only way for the prisoner to get out of that is to memorialise the Board of Customs. I think the offences against the Customs' law ought to be more strictly defined, and the amount of punishment left more to the discretion of the magistrate.

732. You would give the magistrate a greater option than at present of reducing the fine?—Yes; instead of those charged having to go through the roundabout way of memorialising the Board of Customs or Excise, as they have to do now.

Mr. *Wilson.*

733. Do you think that the present laws are driving English sailors into foreign ships?—I do not know that they are; there is much the same law everywhere.

734. You heard the evidence of the witness on Tuesday, who said that 18 out of 20 men in Hull were foreigners?—Then that arises from a different cause altogether.

735. Do you think that applies to Liverpool?—No, not at all; I believe the majority of the sailors in Liverpool are British subjects, nine out of 10 of them.

736. Would you be surprised to hear that in 1875 there were 2,574 British seamen, as against 1,424 foreign seamen shipping from Hull?—I have no experience of Hull. I suppose the Norwegians, Finns, and Danes would make their way to Hull above any place; and the Norwegians make excellent sailors, and so do the Finns and Danes.

737. That is two British sailors to one foreign, as against the 18 to 20 of the witness?—Judging from Liverpool, with which alone I am acquainted, I should say that there are 10 British seamen to one foreigner.

738. Am I right in deducing from your evidence this conclusion: that if it were not for drunkenness there would not be many criminal cases against seamen?—Disobeying orders, except at sea, does not in general arise from anything but drunkenness.

739. And does that form the bulk of the criminal cases against seamen?—The bulk of the criminal proceedings against seamen are for breach of contract, or for not proceeding to sea. The offences at sea arise very often from real or supposed grievances on behalf of the seamen; they think they are ill-used.

Mr. *Wilson*—continued.

740. You say that the sailors are liable to lose 20, 30, or 40 per cent. of their advance notes from really being unable to take care of their own interests?—Yes.

741. Do not you think that men of that class, who are not able to take care of their own interests, ought to be subject to exceptional discipline for their protection?—That may be, but not for their punishment.

742. But still they must be subject to exceptional legislation?—There must be exceptional legislation; we cannot get rid of having exceptional legislation with reference to them. The whole legislation with reference to the conduct of the seaman at sea, all the rules for maintaining discipline, are exceptional in a very high degree, arising from the relation between master and seaman on board ship.

743. Do you think it is this exceptional legislation that produces this want of capability of managing their own affairs which one finds in seamen?—No.

744. Is that inherent in the British seaman?—I do not think the British seaman is so simple as the songs of Dibdin or Marryat's tales would lead us to suppose. It is rather the reaction when they get on shore that leads them into that sort of conduct.

745. It is not a common thing, then, you think, for them to lose 40 per cent.?—It is an exceptional thing that a man has to purchase his kit from an outfitter, or something of that sort; or he may have been two or three weeks at a boarding-house, and have exhausted his funds elsewhere, and not have a penny in his pocket; then the boarding-house keeper seizes upon his advance note and discounts it liberally.

746. And if he had not a penny in his pocket it would be little use to fine him for not joining his ship from drunkenness?—Very little use. The fact of his getting this advance note leads to his being penniless. Supposing the custom had arisen amongst shipowners that instead of telling the seaman to join the ship an hour before the ship sails, his contract was that he was to join the ship two or three days before, no doubt it would cost more money than the present system, but I believe the shipowner would gain it afterwards by the increased efficiency of the seaman.

747. Having joined the ship, would you allow him to leave again?—Certainly not. I would make him join the ship two, three, four days, or a week before.

748. You are, then, distinctly of opinion that advance notes ought not to be given?—I think they ought not; but I think the only cure is to leave it to the shipowners; they could put a stop to it in a moment.

Mr. *Hamond.*

749. Are seamen always to be got in the port of Liverpool who do not require advance notes?—The thing has got to be such a custom that whether the seaman wants it or not, I believe he takes it.

750. Have you ever known shipowners to give seamen advance notes when they do not require them?—I cannot say what takes place between the shipowner and the seaman; but of the many hundreds of accounts of wages which have passed through

Mr. *Hamond*—continued.

through my hands, and which I have seen, in almost every case the first item upon the right hand side was "One month's advance." The shipowner upon discharging the seaman has to give him an account of wages, a regular debtor and creditor account, stating what the amount of his wages is and how he discharges himself of that account, what deductions are made from it, and so on; but the almost universal item at the top on the right-hand side is "One month's advance."

751. Does that principally refer to sailing vessels?—Except to such vessels as the Cunard and the Inman lines.

752. I ask whether it principally applies to sailing vessels?—The same thing is done by steam vessels, except by the large companies.

753. Are advance notes given to as great an extent in steam vessels as in sailing vessels?—No, because a great amount of the steam trade belongs to large companies that require their ships to go from one port to another periodically, and these employ their men almost permanently.

754. In answer to the honourable Member for Sunderland, you stated that some shipowners supplied stores to their seamen; do you know from your own knowledge that those "stores" included clothing, or simply what the owners contracted to supply?—They included a great variety of things.

755. Do you know from your own knowledge that that word "stores" included at any time the supply of clothes?—I cannot say that; but I know this, that in many cases where I have had to do with accounts of wages, clothing and bedding, and so on, were furnished by the captain and charged to the seamen.

756. And you say that they charged as high a rate as any of the outfitters?—No, I said that they might; I may say that what I said on the previous day was *ore tenus*; that I had not the slightest notion when I came here what subjects I was to be examined on, and I had to draw upon my recollection of cases when a question was put; and when that question was put to me a case did pass through my mind where a captain did grossly impose upon the seamen in the stores he had furnished to them; but I should say in the majority of cases they would treat them a good deal better than the outfitters.

757. You said that the outfitter invariably charges the highest price; that he supplies the worst description of article and charges the highest price for it?—Not all the outfitters; there are some of the outfitters who are respectable men.

758. There are some outfitters who are not crimps?—There are some outfitters who are not crimps, and who are respectable men.

759. And they do not invariably charge the highest price for the worst description of articles?—Not the respectable men in the trade; but the men who have to pay by an advance note are more likely to fall into the hands of those who are not respectable.

760. With reference to magistrates who are shipowners hearing the cases, have you known any injustice happen to a seaman by a magistrate being a shipowner?—I cannot say that I have. All I wished to convey to the Committee is this: that it will always look ill, and that the seamen will scarcely believe that they receive strict and impartial justice, so long as they are judged by persons from the antagonistic class, or in the opposite interest.

Mr. *Hamond*—continued.

761. Although they may possess no shares in the ship in which the men have served?—Yes.

762. Are you aware that the same thing applies to railways?—Yes; but we have no criminal offences in railways such as those under the 243rd section of the Act of 1854.

763. But no magistrate interested in a railway can hear a case concerning that railway, while he may hear cases against other railways?—That is to say, offences against the bye-laws; but I never knew a case where the owner of the ship sat as a magistrate, or a person interested directly in the particular ship.

764. Is a magistrate interested in the particular ship able to sit?—I do not know that there is any law to prevent it.

765. You alluded to the judges not sitting except by consent, in cases in which they had any interest; the same remark seems to apply to magistrates?—I never knew a magistrate to sit on a case where he was directly interested.

Mr. *Ashley*.

766. Are you quite certain that you were correct in the answer that you gave to the honourable Member for Sunderland, that the Cunard Company keep their sailors permanently; my information is that they pay them off at the end of every voyage?—They pay them off at the end of every voyage, but the same men come back for the next voyage, and they will not go on any other vessel; it is really a monthly engagement, but the same men return.

767. It is a re-engagement?—It is a re-engagement, undoubtedly.

Mr. *Gourley*.

768. It is a re-engagement at present under the existing law; in accordance with the law they are bound to discharge the men at the shipping office?—There must be a discharge of the crew of the vessel and an account of wages, such as I have just been describing, within 48 hours of the vessel completing her voyage.

Mr. *Ashley*.

769. It is not a yearly hire?—No, it is only a hiring by the voyage practically, but in reality and in fact it is a permanent engagement.

Mr. *Gourley*.

770. A monthly engagement?—Yes.

Mr. *Bates*.

771. Do the Sailors' Home authorities in Liverpool ever cash advance notes?—I do not know.

772. Are there any places or banks in Liverpool where these notes can be cashed?—I never knew of a bank taking one.

773. Are you aware that the Local Marine Board have established some place where these notes can be cashed?—No, I am not aware of that.

774. There is just one question that I omitted to ask; in the case of the "Rock Terrace," a question was asked you, at No. 484, by the honourable Member for Reading, with regard to the imprisonment of seamen in foreign ports: "Is it done through the consul, do you say?" he asks; and your answer is, "Yes, sometimes; and I re-

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collect one case where the men were sent to prison by order of a Naval Court. That was the case of a vessel called the 'Rock Terrace.'" The honourable Member asked you then, "Would that be under the Merchant Shipping Act?" and your answer is, "I do not know under what Act it was. This 'Rock Terrace' was a vessel which loaded guano, at a small island called Lobos, an island off Callao. Vessels when loading guano are surveyed by the Peruvian Government, and what is called a load-line is affixed to the side of the vessel, a long strip of brass, and they are allowed to load the vessel up to that. The Peruvian Government appear to be insurers of every cargo of guano that they sell; and they take the precaution of having the ships that carry away this guano lightly loaded, I believe; at all events they will now allow them to be overloaded. In that case the load-line was affixed by the captain of the port, as they call him, but the captain of the ship appears to have acted on his own maxim, by bribing the officer of the port, and as soon as his back was turned he changed the load-line and put it 14 inches higher on the vessel's side, and loaded the vessel up to that. The crew refused to go to sea with a vessel overloaded;" now are you aware that the authorities of the Peruvian Government allow their officer to lower the load-line of a vessel simply for the purpose of enabling him to receive a bribe to have it placed in the position that it ought to be?—No, indeed, I do not know anything of the sort.

775. Then I will refer you to a letter from the

Mr. *Bates*—continued.

British Vice Consul at Callao to the Board of Trade, with reference to this very ship; the mate and crew said that she was overloaded; here is the Vice Consul's letter: "I have to state that the 'Rock Terrace' was chartered to load not more than one-third over her registered tonnage, 1,768 tons, without written permission, which would give her a cargo of 2,357 tons of guano. The 'Rock Terrace' can carry one-half more than her registered tonnage, or 2,684 tons of guano; and if not thus laden, would be 337 tons short of a full and complete cargo. It is well known that this restriction is only laid on by the Peruvian Government that their officials may exact a bribe from the masters of vessels to be allowed to have a full and complete cargo, and so notorious has it become, that it is called by the masters of vessels 'buying draught.'" Now from your answer it would be inferred by the Committee that the captain had been guilty of this?—Certainly, that was the charge made by the seamen against him.

776. But from this evidence it appears that the proper load-line was in the first instance reduced 14 inches (the Plimsoll load line, as it is called), by the officer of the port, knowing that he would receive a bribe to have it placed on the same mark again?—That gives a great deal of colour to the allegation made by the seamen, that the captain boasted that he could get what he liked done by a bribe to the Peruvian authorities.

Mr. JOHN WILLIAMSON, called in; and Examined.

Mr. *Williamson.*

Mr. *Torr.*

777. You are the Chairman of the Liverpool Shipowners' Association?—I am.

778. Does that association consist chiefly of sailing vessels, or of steamers?—Almost entirely of sailing vessels.

779. What proportion do you suppose of the total sailing ships of Liverpool are comprised in your association?—I should say that, with the exception of two or three firms, we comprise the whole of the sailing shipowners of the port of Liverpool.

780. Do you hold any other offices in which the interests of sailors are specially considered?—I hold the position of honorary secretary to the Committee of Inquiry into the Condition of our Merchant Seamen; a committee that came into existence about nine or 10 years ago.

781. Are not you vice-president of the National Chamber of Shipping?—I am.

782. And you are chairman of the "Conway" training ship?—Yes.

783. And also ex-chairman of the Standard Marine Insurance Company?—Yes.

784. You are a member of Lloyd's Registry of Shipping, are you not?—Yes.

785. And a member of the Liverpool Dock Board?—Yes.

786. So that you have had an opportunity of seeing both shipping and sailors in every form?—Yes, I believe that I have a good general acquaintance with the subject. I do not mean to say that I have quite the knowledge of courts of law dealing with sailors' offences that

Mr. *Torr*—continued.

the previous witness had, but I have a fair general knowledge of shipping and sailors.

787. And you are a merchant, as well as a shipowner?—A merchant more than a shipowner.

788. The Bill that we are considering to-day has been brought before your association, has it not?—It has.

789. And your association have carefully gone through every clause of it?—They have carefully gone through it, and the result has been a printed document, headed "Remarks of the Liverpool Shipowners' Association on the Bill," which I take leave to place before the Chairman (*handing in the same*).

790. And a copy of those remarks has been sent to each Member of this Committee?—The secretary was so instructed.

791. Now I see that you deal with only some of its clauses, and some you pass over in silence; I suppose those clauses on which you make no remark are satisfactory to the Liverpool Shipowners' Association?—We dealt only with those clauses which we thought might be corrected, or done away with; the clauses which we believed might be modified, or altered, or taken out of the Bill altogether.

792. You begin your remarks with Clause 4?—Yes.

793. Do you know whether in Liverpool many seamen neglect to go on board, or desert; have you any tabular statement to show that?—I have got in my hand a statement showing the average

Mr. *Torr*—conntiued.

average during the past five years, that is, from 1873 to 1877, in connection with the number of men shipped from the port of Liverpool. In my evidence I might say I am only dealing with the port of Liverpool. The average number of men who neglect to join ship from the port of Liverpool is 2·709 per cent.

794. Now, how many deserters were there?—About one in every 2,000 men shipped, whether in steam or sailing vessels, that is, for the year; the correct decimal is ·054; and that applies to the whole number shipped at the shipping offices of Liverpool.

795. Are any men arrested and put on board at the time of the sailing of the ship?—I never heard of such a case. I have made inquiries since this Bill came out; I have inquired at the shipping offices, and they cannot name a case to me; I have inquired also from the secretary of the Seamen's Protective Association of Liverpool, and he cannot name a case to me.

Chairman.

796. Can you give us the number shipped in Liverpool on an average yearly?—107,997. I should add with reference to this, that there are four leading steam companies in Liverpool who do not ship their men through the shipping office; those are not included in this Return.

Mr. *Torr.*

797. Are many of these men prosecuted for neglecting to join or for deserting?—Of the number of men who neglect to join and who desert, there are about 42 per cent. that are not prosecuted, because the owners refuse to prosecute them.

798. That would leave about 60 per cent.?—That would leave about 57 per cent. that are prosecuted.

799. Who directs or orders the prosecution?—The shipowner.

800. In all instances?—In all instances that I am aware of; it cannot be any other way; it must be the shipowner.

801. Do you know the proportion of men prosecuted that are actually sent to prison?—Out of the number of men that I have given you, the number of men sent to prison of those who neglected to join and deserted was 6¼ per cent.

802. Now do you know the proportion of the entire number of men shipped in Liverpool that are sent to prison?—The per-centage of men sent to prison to the total number shipped is ·179, or about seven men to every 4,000 shipped.

803. That is annually?—I am dealing with the annual returns.

804. Now, in your opinion, if this Clause 4 became part of an Act of Parliament, would it increase or diminish the number of deserters and the number refusing to go on board?—I should naturally conclude that it would increase it. The present system acts as a deterrent to a certain extent, you can observe from the returns I have named that the present system is not altogether effective, but it would be worse if the 4th clause was introduced and became law.

805. What effect would it have on the general character of the sailors on board the ships?—If you judge from the class of men that you are obliged

Mr. *Torr*—continued.

to receive on board a ship, when she clears the pier-head, in place of the deserters, or those who neglect to join, I should say that it would demoralise the forecastles still more; and the better class of seamen in those forecastles object very much to the element that is put into vessels at the pier-head, that is to say, the substitutes.

806. You probably heard it stated by a previous witness that when a ship was on the point of sailing, in case any number of those who had engaged to go by her deserted, there were hundreds ready to supply their place on the quay; what have you to say to that?—That is not so; but the custom has become so general of men refusing or neglecting to join, that the owner has to give instructions to the runner, who instructs the boarding-house keepers who have those substitutes, to bring them down and to have them ready at the pier-head.

Chairman.

807. Is there not inconsistency between your former statement, that only 2·7 neglected to join, and your last answer in which you say that the neglecting to join has become habitual?—It has become so with a certain per centage of the men; I do not say all the seamen do it, because there are good seamen.

Mr. *Torr.*

808. Now if this fourth clause were to become law, would the owners continue to prosecute?—I should think they would not. At present not many prosecute; at least not the largest proportion prosecute, I should rather say; but if you have to go through the form of obtaining a summons for prosecuting the seamen, I am sure shipowners would not take the trouble of doing it, and for another reason, that those men are not to be got at. It is a notorious fact that 75 per cent. at least, of all the seamen shipped at the shipping offices at Liverpool give wrong addresses; 75 per cent. fully give wrong addresses.

809. And is it that difficulty in finding the addresses of the men, that to some extent protects them from prosecution?—You will observe this, that of the number of men who are prosecuted, or rather who are to be prosecuted, the number is infinitesimal that are in fact prosecuted; but every one who is laid hold of is, as a rule, sent to prison; but the reason why there is such a disproportion between those sent to prison and those ordered to be prosecuted, arises from the fact that they give wrong addresses; they cannot be found.

810. Then do you think that if this Clause 4 became law, it would act injuriously to the good sailors as well as to the bad?—I am confident it would do so; I am confident the good seaman would object very much to any increase of the bad substitutes put on board ship; now they object very strongly to it; all good men state that.

811. Would the ship's articles be as binding if this power were done away with, as they are at present?—I should think that any agreement made upon the new clause would be so much waste paper, because sailors would not look upon it as binding at all; they would not be prosecuted; they give wrong addresses; they could not be prosecuted, and therefore the new clause would be quite inoperative in the way of checking desertions and neglecting to join.

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Chairman.

812. How would wrong addresses tell more against civil proceedings than against criminal proceedings?—It would tell in the same way; but by the operation of this clause there would be practically no compact or agreement with the seamen; the seaman would not regard the contract as binding at all upon him; the desertions would therefore increase, especially the neglecting to join the ship, and of course you would have the same proportion of seamen who give wrong addresses as now; at all events, it would not be less.

Mr. *Torr.*

813. Because the criminal part of the clause does not take effect until the seaman is actually on board?—Not till he is actually on board and at work.

814. And as such, if he did not actually go on board, it would be merely a civil contract?—And I would beg to point out that the present system of arrest without warrant is merely operative to the extent of arresting a man for neglecting to join, and that is only after the ship has gone; it is never made use of before the ship has cleared the pier-head. Probably I ought to mention this for your information, that in Liverpool, as a rule, the men do not go on board except at the last moment, when the ship is hauling out from the pier-head.

Chairman.

815. May not a man be arrested under the present law without warrant, immediately after he has signed the articles?—He could be arrested without warrant; but there is no object in doing it, and it is never done, because there is no cause for it.

Mr. *Torr.*

816. That would lead one to infer that the present law is not so severe upon him as it is supposed to be; and that if it were made into a civil contract, as this new clause proposes, it would be totally inoperative?—I should say so.

817. Then your association would go for the expunging of this clause?—I cannot see that there is reason or cause for the introduction of this 4th clause at all; and amongst many seamen themselves the same view is taken; I have spoken to many thoughtful, sensible seamen since this Bill came out, as well as shipmasters and others, and they quite agree with regard to this.

818. The present law they do not feel to be oppressive, or to call for a modification?—No; and they consider that the present law also is a deterrent against men neglecting to join to a certain extent, and against men deserting especially.

819. Now coming to Clause 5, have you anything to say upon the question of "money or advance note"; it has been suggested that after the word "money," the words "or advance note" should be introduced; has your association anything to say upon that?—Our association simply suggested that after the word "money," there should be put in the words "or an advance note," for the very reason that money is never given to a man when he signs articles; an advance is not given to him in the form of money now; the only instances in which money is given to sailors when they are shipped is when they are sent from our leading

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ports to outports, as very often in those outports there are not crews to be had; for instance, from Liverpool we send whole crews by rail to Cardiff and the Bristol Channel ports, and again to Hartlepool and the east ports; and a sailor the moment he gets into a train is regarded as being actually on board his ship, and he receives money before he gets into the train; he gets in that case no advance note.

820. Some one must go with him to the train, I think?—A runner from the shipping office must go with him, otherwise he would bolt; and all runners tell you they have the greatest difficulty in keeping the men together at the stations along the line; I have had cases myself where I have sent crews to vessels in the Tyne, where the men have jumped from the tug boat into the river; therefore we read this clause as referring to money advanced in the place of an advance note, and therefore we suggest that after "money" should be added "or an advance note" on account of wages; although were the 4th clause done away with, that would not be necessary.

821. In sending those men from Liverpool to any of the smaller outports, you say that the moment the sailor enters the railway train he is considered as if he had entered upon his duty?—As if he was on board ship.

822. Then under this clause the criminal part of the enactment would come into operation, would it not?—At once.

823. As at present?—Yes, as at present.

Chairman.

824. The construction put upon this clause by your association in Liverpool would not necessarily be the legal construction put upon the words "joining his ship"; I mean to say that though in Liverpool you consider that the sailor going to an outport in a train is supposed to be already on board his ship, and therefore his advance cashable, yet the words "joining his ship," in the clause, would not necessarily bear that construction legally, would they?—He gets money now before starting by train simply because advance notes are the custom; and anyone who knows the operation of the whole system knows quite well that a seaman always goes on board ship when he has finished all his means; he then is shipped, and of course the lodging-housekeeper or crimp, who has charge of this man, will not part with him without a *quid pro quo*; therefore the shipowner is obliged to put the money down, not an advance note, because the sailor might bolt from the railway at any station along the line, and it has become the practice that if you want men you are obliged to put money down instead of an advance note.

Mr. *Hamond.*

825. The only security for the shipowner is this runner from the shipping office?—Yes.

Mr. *Bates.*

826. Do they sign articles before they go from Liverpool to start by train?—Yes, they sign articles.

Mr. *Torr.*

827. You say you would put in the words, "or an advance note" after the word "money;" would

Mr. *Torr*—continued.

would you treat the man shipping from the pier-head or in the Liverpool Dock in a different manner from what you do to a man when he has to go by train to Cardiff, for instance?—That is our suggestion, in Clause 5, that that should be put in, and the only reason is this: when we read the new clause in the Bill, Clause 5, we thought it was simply to apply to a case where money was paid; and I have instanced the cases which occur in which money is paid to the sailor before starting.

828. You would prefer keeping the advance note when dealing with men going direct from the port of Liverpool?—I do not say that. If Clause 5 is to be introduced at all, the words "or an advance note" should be introduced into the Bill. The question of advance note is not brought forward in the Bill as far as I see, and it stands on a different footing. We have not dealt with the question of advance notes in our remarks on the Bill.

829. I understand you to suggest that we should insert, after the word "money," the words "or an advance note"?—Yes.

830. That would bring it back to the present form, the present use of advance notes?—That would be so.

831. With the addition of those words, Clause 5 you would accept?—Certainly.

832. Then as to Clause 6, which is with regard to discipline; have you anything to say against that?—Clause 6 is so intimately connected with Clause 4, and likewise Clause 7, that we have argued upon the incongruity of the discipline clauses and of the Employers and Workmen Act being brought into operation together in the case of seamen at all, because, as I have already shown, the Employers and Workmen Act would only operate for an hour or two, about the time the ship is sailing; in other words, we object to Clause 4 altogether.

833. And the clauses connected with it, Clauses 6 and 7, as being based upon Clause 4; is that what you mean?—Perhaps you will allow me to read this paragraph in our remarks, which I think is more concise than any statement I could make. Clauses 4, 6, and 7. These clauses provide two systems for the regulation of seamen. One of such systems places seamen under The Employers and Workmen Act, 1875, and The Conspiracy and Protection of Property Act, 1875, and the other consists of enactments specially provided for merchant seamen. The former system is to operate from the time of engagement until the seaman has joined his ship, or begun work, in pursuance of his engagement. Thereupon it is to cease, and the other system is to come into operation. Then further on we say, "It is submitted that no reason exists for creating a double system of discipline, or for making any distinction between the period after a seaman has signed articles until he joins his ship, and the subsequent period," that is the argument which we go upon.

834. And on that ground it is that you object to Clause 4?—Yes.

835. In objecting to Clause 4, you object to Clauses 6 and 7 in their present form as being based upon Clause 4?—It is so now. Clause 6 is apparently based upon the fact that Clause 4 may become law; but we simply state that you should begin the new Bill with Clause 6, dealing

Mr. *Torr*—continued.

with discipline. This is the suggestion that is made, "That Clause 4 should be struck out, and that the opening words of Clauses 6 and 7, from the word 'if' to the word 'end,' should be struck out, and the following words substituted for them: 'Whenever any seaman who has been lawfully engaged, or any apprentice to the sea service.'" That is simply the manner in which those clauses should be dealt with, if Clause 4 is to be obliterated.

836. You do not object to Clauses 6 and 7?—No; it is simply a reconstruction of the sentence, as it were, that is suggested.

837. In Clause 7 I think you make some objection as to the words on page 3, line 22, about the fine being paid to the person arrested if he accepts?—The Act of 1854, Section 246, provides that the penalty, "if inflicted, shall be a bar to any action for false imprisonment" in respect of the apprehension. The paragraph, as it reads, provides that the fine referred to in it shall be paid to the person arrested if he accepts it, but the acceptance of such fine is to be a bar to any other proceeding for damages in respect of the arrest.

838. Do you object to that word "accepts"?—The present clause places the discretion in the magistrate, who, if he thinks that the case would be fairly met by a penalty, can impose it, and so bar any further action. The proposed clause, on the other hand, places the discretion in the hands of the aggrieved seaman, who may refuse to accept a penalty which the magistrate thinks sufficient, and may then bring an action for malicious arrest and false imprisonment. That is our objection to that term. It is merely verbal, I believe; but we thought it necessary to draw attention to the wording of it.

839. Do you accept Clause 8?—We have no objection to it.

840. As to Clause 9, what have you to say against that?—We have a very strong opinion upon this clause.

841. In what respect?—The existing law provides for the survey of the ship on the allegation of one-fourth of the crew, or not less than five seamen. The proposed clause may involve a survey on the allegation of a single seaman.

842. Then you object to the law being altered in that respect?—We see no reason whatever for altering it. The present statute was enacted only two years ago.

843. Why do you object to the change?—It would enable any refractory or bad seaman to entail loss and annoyance upon the shipowner which might be serious.

844. It is the proportion of one out of a crew, instead of, as it was before, not less than five?—There is no doubt also, in looking at the Bill, that the survey is not to be ordered if the Court is satisfied that the allegation is groundless. But it may be pointed out that, if the Court are not so satisfied, that is to say, if there is any doubt whatever in the mind of the Court, they have no discretion, and a survey, with its inevitable delay, expense, and annoyance, is inevitable. That is our main reason against that clause.

845. Then as to Sub-section 10 of Clause 9, on page 5, and the words "conviction to imprisonment, for any period not exceeding one month, with or without hard labour," are you satisfied with one month?—No, we object very strongly

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strongly to that. I will read again from our remarks upon that: "It is submitted that the offence mentioned in Section 10 of this clause is so serious that imprisonment for a maximum term of one month is utterly inadequate. The term should be increased to six months." That is the decision of the Shipowners' Association.

846. Then are you satisfied with Clause 10?—Yes, we take no exception to it.

847. And you are satisfied with Clauses 11, 12, 13, and 14, until you come to Clause 15; what is your complaint against Clause 15?—There is an incongruity there; you will observe that if a man is drunk when on the look-out, he is liable to two months' imprisonment only, while if he is drunk when on duty, although no harm happens, he is liable to three months' imprisonment. I would suggest that the words "drunk or," on page 7, line 16, should be struck out; or, that the term "two months," on page 7, line 18, should be altered to three months. That we simply put down as a suggestion; we only draw attention to it to have it corrected; it is so very obvious.

848. What about the paragraph immediately before that in the clause: "A master, or officer, who makes default in performance of this duty, shall be liable, on summary conviction, to be imprisoned for any period not exceeding three months"?—We have passed no opinion on that as an association, believing that masters and officers being more immediately concerned would deal with that themselves; but, personally, I think it is too serious a punishment to a captain and an officer; he can both be imprisoned and fined on summary conviction. Now we know perfectly well that, if a ship is taken aback in a sudden squall, all hands and the captain himself must work, and the look-out man must be got down too. It is very easy for many of those men to trump up a story that the captain neglected to keep a look-out, and they can get others to swear to that on board.

849. Would you suggest any alteration in that clause?—We believe in the spirit of the clause; that if there is shown to be a culpable and disgraceful look-out kept by the master or officer he should be punished, but we think the punishment is rather too strong; it might be left really to the decision of the magistrate.

850. On Clauses 16, 17, and 18 you have no suggestion to offer?—None.

851. Then we come to Clause 19, as to "Wages;" what have you to suggest there?—I have also tried to ascertain if there is a sufficient cause or reason for altering the present system of paying off crews. I have failed to find out that shipowners take advantage of the time they have got now in which to turn round from the time a ship arrives and is moored till the shipowner pays off his crew. The time allowed now is five days, and I cannot find any trace of instances where that is taken advantage of. An old ship captain whom I questioned two days ago, told me that when he commanded a smaller vessel he knew of cases where the owner was poor and the vessel came to an outport where the broker is a very poor man, who does the ship's business for a mere fee of a guinea or a couple of guineas; that man has not got the money, and of course waits till he gets something on account of freight to pay off the crew. He has also known of cases, such as I have named, where the five days' latitude has been taken advantage of. I may say also that, so far as my knowledge goes, all shipowners, as a rule, are but too anxious to have their crews paid off and done with; and every shipowner, so far as I am aware, does so.

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852. Would you suggest any other time?—If it can be shown that the present latitude is taken advantage of, even by a number of owners, I should reduce the number of days as a matter of fairness, to a couple of days, say.

853. Then, under the usual course, you tell us that the present latitude of five days is not in many instances availed of; would you suggest 48 hours?—Two days, Sundays and holidays excepted, until the men are paid off.

854. Then that would render these clauses satisfactory, would it?—I would not say altogether. There is one part of the Bill where you are bound to provide money to the seaman lawfully leaving the ship at the end of his engagement; I believe that that, however, is at present the law.

855. That is on page 9, line 1?—Yes; I have only been informed of that this morning, but I believe that it is the present law now, in fact. The moment a vessel is moored in dock is the time the seaman is lawfully discharged. It is obvious that the captain does not always have money in his pocket; and if a ship arrives after bank hours, the owner cannot always get the money, and send down to pay off these men. If this is the present law now, which I understand it is, it is more honoured in the breach than in the observance, for it is never done. I should mention that in my own business as a shipowner, I make it an invariable rule, when I can do it, and the ship comes into the home-port, into Liverpool, at a time of the day when I can do it, to send a bag of gold down to the captain to give to the seamen, to keep them out of the hands of crimps. That is my rule, but you cannot always do it; if a ship went to an outport, you could not do it.

856. Or if she arrives at night?—Or if she arrives at night.

857. But if that rule which we are now discussing in Clause 20 is at present in force, would you suggest its being altered; because you told us that you believe it is the present law?—So I was informed this morning.

Mr. *Gorst.*

858. The present law is found in the 187th section of the Merchant Shipping Act, 1854, and it is to this effect: "The master or owner of every ship shall pay to every seamen his wages within the respective periods following: that is to say, in the case of a home-trade ship within two days after the termination of the agreement, or at the time when such seaman is discharged, whichever first happens; and in the case of all other ships (except ships employed in the Southern Whale Fishery, or on other voyages for which seamen by the terms of their agreement are wholly compensated by shares in the profits of the adventure), within three days after the cargo has been delivered, or within five days after the seaman's discharge, whichever first happens; and in all cases the seaman shall, at the time of his discharge, be entitled to be paid, on account, a sum equal to one-fourth part of the balance due to him"; and then the master is made

Mr. *Gorst*—continued.

made liable to a penalty if he neglects or refuses to make payment?—That is so.

Mr. *Torr.*

859. Then you would not suggest a change in that?—We dealt with the clause in the Bill, believing that it was not the present law.

860. I presume you would allow it to stand, therefore?—Yes; but I am showing that it is quite impracticable to carry it out; it cannot be done except in rare cases.

861. On Clause 21, what have you to suggest. You say in your notes: "This clause is impracticable"; will you show us how?—The 21st clause states that before a seaman lawfully leaves his ship at the end of his engagement the master shall "deliver to him a full and true account, in a form sanctioned by the Board of Trade, of his wages, and of all deductions to be made therefrom on any account whatever, and in default shall for each offence be liable," and so on. This cannot be done at all; no ship captain can make up a statement of account as indicated here. The only account that a ship master can make up previous to the vessel's arrival, or up to that time, is simply an account of slops, or tobacco, or money paid abroad to seamen, that he has given to the men on the voyage; beyond that he can do nothing more, and, as a rule, all ship masters capable of drawing up an account at all, have a book in which all this is put in and signed by each member of the crew when he leaves the ship as an admission that it is all correct. Then the next duty of the captain is this: he goes to his owner's office, gets a shipping clerk down, has his vessel entered at the custom-house, notes his protest, and attends to a number of other matters that he is bound to attend to first. He then brings a statement of his account with the crew for those things I have named to you, money paid abroad, &c., and the shipping clerk in the office then proceeds to make up a portage bill, as it is called; he takes the whole voyage from beginning to end; it may last two years sometimes, and every man that has been in that ship is put down there; the wages are all made up and the deductions taken from those wages, as the case may be; the captain's slop account and money account is deducted likewise, and appears in a separate account; then there are the moneys that have been paid in the form of advances and monthly moneys to wives, sisters, or mothers of the crew. Those have all to be got together, and that can only be done in the owner's office. You can imagine that with a large crew, 30 or 40 hands all told, and after a long voyage, it takes a good many hours to make up such a statement. Also there is another point to be considered; this might be done very quickly if the vessel comes to the owner's port; but if the vessel comes to an outport and arrives unexpectedly, he cannot have an account of the monthly moneys and advances to the men made up awaiting the ship's arrival there. So that it would be quite impracticable to deliver a full and complete statement of the account with each seaman at least for two days after the ship's arrival.

862. How would you propose to meet this difficulty?—I should simply not interfere with the present system in any way, except probably reducing the time by which a seaman was to be

Mr. *Torr*—continued.

paid within say a couple of days from the time of a ship being in dock and moored.

863. Would you make that binding, whether a ship arrived at her home-port, or any strange port abroad?—I should say there is no hardship in it, and it can be done; but by the present law you are bound after your accounts are all made up, to present a statement of each seaman's account to that seaman, or to the Superintendent of the Shipping Office, 24 hours before the seaman is paid off. But I might mention also that this, like many other laws, has fallen into disuse; it does not operate either.

864. Why?—Because the main point that the seaman has to deal with is the supplies which he has got during the voyage in money, clothing, or tobacco, which is certified before he leaves the ship. I could not give you a better instance than a case of my own which occurred last week; we had a ship that arrived from Calcutta, she was docked in the Albert Dock about half-past one o'clock on Friday; I was anxious to get the men paid off before Sunday, and put a little pressure on the office to have that done, and we had all the men paid off at half-past 11 o'clock next forenoon; the Shipping Office Superintendent did not see the account at all until the hour for paying off the crew, and that shows you that the present rule about the 24 hours, by which you are bound by law to deposit those accounts at the Shipping Office that length of time before the seaman is paid off, is not made use of at all. It would in fact defer the payment of the crew's wages, and there is a general concurrence of desire on the part of shipping office officials and the owners to have the men paid promptly.

865. And you think that 48 hours after the ship was moored in dock would be quite an adequate time for the sailors being paid and discharged, whether at home or in distant ports?—Yes. Before you pass on to the next clause, I would beg to point out that in the way in which Clauses 19, 20, and 21 are introduced, it would be unworkable. If after a ship is moored, and the men discharged, you are to be bound to pay them wages day by day until they were paid off, as a matter of fairness and equity you would insist on those men working on board ship. I might mention, and any one who knows anything of sailors knows that not one man would remain on board, and therefore he would have to forfeit a month's pay. So that if you deal with it equitably, his position would be worse than now.

866. Consequently, instead of being a boon to the sailor, it would be a serious loss to him?—It would, if dealt with in that way.

Chairman.

867. He would have been discharged, would he not?—If you pay a man wages, he is bound to do something for those wages.

868. That is on the supposition that the continuance to pay wages continues the engagement?—I say if Clauses 19 to 21 were to become law, as a matter of equity you should make the seamen do duty for the wages that he receives.

869. You think that that would be an equitable proceeding?—I should say it would be equity; he should do work for pay.

Mr. *Torr.*

870. Then, coming to Clause 23, that says that

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Section 244 of the Merchant Shipping Act, 1854, as to the entry of offences in the log, shall extend to all offences under this Act; and I think you would except some offences?—That is respecting entering in the official log book. We simply state that there are certain offences that could not be logged. There is Clause 25, which deals with smuggling; of course the captain has no knowledge of any smuggling that may take place; it comes out afterwards; therefore he cannot log that. Then there are offences under Clauses 4 and 5, which are committed before the ship sails; therefore they cannot be logged.

871. On Clauses 24, 25, 26, 27, 28, 29, 30, and 31 you have no remark to make, I believe?—You have omitted Clause 22, which contains one or two important points. At present the release given by a crew discharged extends to "all claims in respect of the past voyage or engagement"; the release, which by this clause it is proposed to substitute, will be a release of claims relating to wages only; and the remarks by the Shipowners Association on this are: "Much mischief would arise if, after a seaman has been discharged and paid off, and the ship's accounts made up, an action should be brought by him for some cause of which the master and owner have had no notice. At the same time, the seaman would often be tempted to waste the wages just received by him in litigation. It is suggested that the release should be a release of all claims, except claims of which notice has been given to the master previous to the seaman leaving the ship." That is the suggestion we make upon that clause.

872. Would you put that in the form of a new clause?—We suggest simply that it should be so that the release should extend to all claims, except those of which notice has been given to the master previous to the seaman leaving the ship.

873. That would come in in Clause 22, on page 9, line 32?—And bearing upon this is also a very important point which we would draw attention to. The power which seamen at present possess of arresting vessels for wages is often abused. When the claim amounts to a small sum only, there is no reason why a valuable ship and cargo should be arrested. It is, therefore, suggested that a paragraph should be inserted at the end of Clause 22, taking away the jurisdiction of all Admiralty Courts and courts having Admiralty jurisdiction, to entertain suits for wages when the claim is less than 20*l.* The seaman would still be able to proceed summarily under Section 188 of the Merchant Shipping Act, 1854, or in the ordinary civil courts of law. I think that is a very important point, because often ships are arrested for the most trivial amounts.

874. That, I think, comprises all your remarks upon the clauses?—That finishes the remarks by the Shipowners Association.

875. Is there anything that you have to suggest in the way of omission in this Bill that you think would improve it and make it a more efficient measure?—As it is a Bill dealing with seamen I should have been very glad to have seen something more done than simply dealing with repression. There is one very important mattef that has been frequently discussed by the shipowners of the United Kingdom, and there is a concurrent feeling of approval of it, namely, that seamen, before they rate as A. B.s, should show satisfactory proof of four years' sea service. There is no rating now, or any training, or any period of service by which they can get this; the result is, that we have a very large percentage of our seamen so-called that are not A. B.s in any sense whatever, yet they rate as A. B.s, and receive the pay of A. B.s.

876. Have you any other suggestion to offer?—In connection with that subject I might say also that the good seamen themselves (I have spoken to many) would be very glad to see this introduced, because they feel it is an injustice to themselves to find that they are swamped by the bad and inefficient men; and that they themselves have to do double work by reason of it.

877. That makes them less disposed to continue their sea service?—It keeps down the value of good A. B.s, and makes the service less attractive, and fewer of those men care to go to sea therefore.

878. Since you were in the room you heard, probably, the remarks made by another witness about the proportion of magistrates of Liverpool who are connected with shipping; have you a list of the magistrates of Liverpool?—I have a list here that I have got down since I came up to town. I read in a Liverpool paper of Thursday the remarks made here respecting those magistrates, and I was very sorry indeed to see it, because the statements made were not facts. So far as I could make out, out of 69 magistrates who deal with those cases, there are only nine that are shipowners purely and simply.

879. Only nine out of nearly 70?—Only nine out of 69 who are shipowners in any sense; and when I tell you that the leading shipowner amongst them is Mr. James Beazley, who probably has as soft a heart as any man I know, and who is the treasurer of the Seamen's Orphanage, I think you will say that seamen are very safe in his hands.

Chairman.

880. What do you mean by "pure" shipowners?—That they are shipowners purely and simply; that they own their ships, and manage their ships. But there are a number of those magistrates who are directors of steam companies and such like; and if you include those who are interested in shipping in that way, the total number, including the *bonâ fide* shipowners I have named, makes about 17, so far as I could make up the list.

Mr. *Bentinck.*

881. Will you be good enough to state to the Committee whether you approve of the present system of engaging crews at a Mercantile Marine Office?—I do; I believe they are very beneficial both to the seamen and to the owner; they save the owner a very great deal of trouble, and in cases of dispute they are a great advantage to the seamen.

882. And you think the system works well?—The system is good. I might say that, except in the cases probably of the four leading steam lines out of Liverpool, such as the Cunard and three others, they are availed of; those steam lines got special permission from the Board of Trade, I believe, to ship and discharge their crews on board ship; but their position is entirely different; the men on board those leading lines are men who go year by year in those vessels,

and

Mr. *Bentinck*—continued.

and they are paid off and discharged at the same time on board the steamer.

883. In your opinion, is not the power of arrest without warrant a protection to the seamen against the crimps, and is it not necessary in the interest of life and property?—Indirectly there is no doubt it is a protection to the good steady seaman against the operations of the crimp, because were the power of arrest removed, there would be an increase of men who neglected to join, and therefore there would be an increase of that class of men who are put on board by crimps, called substitutes, in place of those men who neglect to join; and that has been a great grievance with good steady men that such men are put on board; they come on board often diseased, and the good steady men object to live with such characters. The present system is better, I believe, than it would be by the introduction of the 4th clause.

884. You think that power of arrest is essential in the interest of life and property?—Indirectly, I would say so.

885. Will you describe shortly what are described as substitutes, and how this Bill would affect them?—If we are to believe the statement made by the Seaman's Protective Association at Liverpool (that is a body of *bonâ fide* seamen; I believe there are about 3,000 of them in the association); they state that the class of men who compose the substitute class mainly are any off-scouring, or scum from the streets, that can be picked up, and bundled on board for the sake of the advance note. The crimps prowl about the outside of the workhouses in the morning, to get hold of those men, and bundle them down to the pier-head, and get them on board in that way. But it is well known that the substitutes are a very poor class of seamen; they are not seamen, as a rule, in any way.

886. Will this Bill affect them in any way as to their position?—It would not affect them, because they are actually put on board at the pier-head, unless they desert afterwards.

887. The question was referred to indirectly by the honourable Member for Liverpool; but is it not the case that many sailors have no addresses and assume various names, and that to place them on the same footing as workmen ashore would be practically to do away with any power over them at all?—As I have stated, and my information is derived from the Shipping Office Returns in Liverpool, there are over 75 per cent. of the whole of the men shipped who give wrong addresses; and also we know very well that when a seaman neglects to join, the crimp who has hold of him, who has already given him money against the advance note he has got, insists on shipping him again; he has a whole lot of false discharges ready always, and he puts this man forward for another ship right away in a false name and with a false discharge; and, therefore, it is that a man who neglects to join a ship that he was engaged for cannot be found.

888. In your opinion is there any analogy between the two cases of a sailor not joining his ship, and a workman on shore not going to his work; are they not totally different cases, and cases requiring to be dealt with differently?—I should say that there is no analogy betwixt the two; if you take a workman on shore he can be got at; he, generally speaking, has some

Mr. *Bentinck*—continued.

local habitation, and you can trace him out, and serve a warrant upon him; the sailor, I have shown, cannot be found; and more than that, if a workman on shore neglects to do work he is engaged for, another can be got at once to take his place, and it is only a question of that man losing his wages probably; but in the case of a ship going to sea, the men are ordered to be there within an hour or two of the ship going right away; those men may fail to join, and the ship may be put in peril by it. We know that ships are obliged to "come-to" in the river because the men are not there; and a change of wind comes on, and the vessel is in peril sometimes. If only two hands do not turn up, the ship will go right away; but very often she is under-manned, or, if the substitutes are on board, as bad as under-manned, and therefore I think there is no analogy between workmen on shore and seamen.

Mr. *Williamson*.

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889. Would it not be a great advantage to the good men if there was a regular system for rating the A. B.s?—I have already said that it would be so.

890. Are not the good men, as a rule, in favour of the maintenance of strict discipline, and is not much of their extra work thrown on them by the misconduct of the bad men?—I cannot say about the discipline, but I know that they object to do extra work on account of having bad men thrust alongside of them.

891. In dealing with cases of grave misconduct, in your opinion is imprisonment without hard labour any punishment at all?—Never having experienced it, I could not say.

892. Is it not looked upon by the bad class of men, the men who have been guilty of grave offences, as a very light punishment when the imprisonment is not also attended with hard labour?—I believe that speaking of the worst class of seamen, they do not consider punishment by imprisonment as any great punishment at all; but the good men feel it.

893. You said that the men frequently do not go on board till the ship is leaving the dock?—That is the practice in our large seaports.

894. Are not their services required previous to that time?—No, all the work is done by riggers, up to the dock gates; very often we have to send the riggers into the stream with the ship, in consequence of the men not turning up. You may see a dozen seamen going out from the pier-head in a boat to join the ship when she is lying in the stream.

Lord *Eslington*.

895. Could you give me the names of the other three companies, besides the Cunard Company, who do not ship through the Shipping Office in Liverpool?—I believe the four companies are the Cunard Company, the White Star Line, the Inman Line, and the Allan Line.

896. Four of the largest and most important companies in Liverpool?—Yes.

897. And I presume, as they continue the practice of shipping on board themselves, that they find it answers remarkably well?—They must do; but they do so by special permission of the Board of Trade.

898. Can any shipowner apply for that permission, and obtain it on application?—I believe any shipowner can apply, but I question whether

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Lord *Eslington*—continued.

the Board of Trade would grant it to any ship-owner who might apply.

899. Have you ever applied?—No, I do not require it, mine being sailing vessels.

900. Then the fact of this alteration not being made would seem to point to a considerable amount of convenience attending the Shipping Office?—We have the system, and it is liked generally, I believe, by the shipowners; but there are special reasons why those four companies should ask for special permission.

901. Now, I want to know something about the per-centage, which you said was $2_{\frac{7}{8}}$ of the men who neglected to join ship?—That is so, from Liverpool.

902. I want to know something about that 2¾ per cent.; first of all, I want to know what sort of seamen they are; are they a good class of seamen, or are they the reverse?—It is very difficult to express an opinion because they are not analysed in any way. The Shipping Office returns do not analyse them in any way; they simply deal in round figures with the men who neglect to join.

903. Then of course these men are proceeded against and punished?—Only to a certain degree. The system is this: the runner, or the outside official in connection with the Shipping Office, comes to the owners' office after the vessel has gone out of the river, and he says, "Here are certain men" (naming the men) "who have neglected to join; shall we prosecute?" And out of those who have neglected to join there are about 42 per cent. who are not prosecuted, because the owners refuse to prosecute.

904. Why do they refuse to prosecute?—Simply because they will not take the trouble, and also because the prosecution is so inefficient, so very few can be seized.

Mr. *Gorst.*

905. When you say "prosecuted," you mean that they try to take proceedings against them?—Yes, try to arrest them.

Lord *Eslington.*

906. In fact they escape, because it is not worth the trouble and the expense of instituting the necessary inquiries in order to prosecute them; they cannot be found?—That is really the reason why.

907. Did I understand you distinctly to say that, as far as your experience is concerned, derived from conversations with seamen themselves in Liverpool, they do not care for or desire the insertion of Clause 4 into this Bill at all?—I should not like to say that, because I have consulted no seamen on this clause; I only know what their feeling is generally on the question of substitutes and bad men put on board with them.

908. Have the Seamen's Protection Society discussed this clause?—I have no doubt they have, but I am not aware of it.

909. You do not know their feeling?—I saw the secretary of it one day since this Bill came out, and I put the question to him whether he knew of any case in which a seaman had been arrested without warrant under the present system before he joined his ship, got on board his ship; and he knew of no case; he could name none.

910. Now, with regard to this giving of a false

Lord *Eslington*—continued.

discharge, you said, I think, that the crimps always have in their pockets a large number of these documents, and they give them very freely; is there no penalty attaching to a man who gives a seaman a false discharge?—I believe there is, but you have no means of proving it if you had. If you had this A. B. rating that I am suggesting, that would be a check upon it.

911. Now, in regard to the A. B. rating, are you aware that there has been in London within this last eight, or nine, or ten months (I am not quite clear about the time) a voluntary system established among the seamen of examination for the rating of A. B.s?—I am quite aware of that, but it would be very limited in its operation; it is bound to be.

912. You know that as a fact?—I am sure it will be so.

913. Has any such proposal been made in Liverpool by the seamen?—Not yet, I believe; it has been promoted by some of the members of the Local Marine Board; but the feeling is generally that it is not the way to deal with the subject. Those same men would come under the operation of it, if it became a legal enactment.

914. You would like to make the examination for the rating of A. B. compulsory?—We have dealt with the question of rating by examination, but we find that we could not carry it out, and we simply suggest as a milder system of rating, but one which we believe would have a tendency to improve matters, that the term of service should be the qualification. It is always in the option of any master to say whether he will take a man as an A. B or not.

915. You used the expression that you thought the operation of this voluntary examination would be limited; do you mean limited to London or limited in London?—Limited in extent anywhere; in Liverpool, or anywhere else.

916. Will you just tell us now what is the process of obtaining the rating of A. B. at present?—There is no process whatever; any man with a false discharge, who has never been to sea in his life, can jump on the deck and say that he is an A. B.; he gets his pay and is registered an A. B. in the articles; beyond that he may be nothing more than a man from the country who never saw a seaport before.

917. Then does a captain receive the *ipse dixit* of the man without making the slightest inquiry?—If he has a good though false discharge, the captain is quite satisfied; he sees on the face of it that he is an A. B.; he sees that he has a new pea jacket on, and he thinks that he is as good a sailor as most of those offering.

918. And this is one of the greatest grievances probably, that the shipowners have to complain of?—No doubt it is so, the grievance of indifferent seamen.

919. I want to ask you with your great experience of seamen and of your own ships, have you ever pursued a plan of premium for good conduct, or for continuous service on board your ships?—We do have that; I have tried that plan for about eight or ten years now.

920. Perhaps you can tell us how it works?—We simply leave the indorsement of the document in the hands of the captain; it is not seamanship that enables them to get this good conduct money, as we call it, but very good conduct;

Lord *Eslington*—continued.

duct; it must be something more than the ordinary V. G.; he must be a good steady man amenable to discipline, doing what he is told, and a man who does not use offensive language. For the first voyage we give that man 2 *s.* 6 *d.* a month beyond his shipping wages; if he goes a second time in any ship in our employ he gets 5 *s.* a month for the next voyage, and ever after he retains that. Further we find that men with those good conduct certificates which we give them are readily taken up, and I have had cases where a seaman will wait six or eight weeks for his own ship to go back again. But you must not forget that those men are the cream of the seamen.

921. Should I be right in inferring that you make the cream by that process of churning?—This churning plays a very small part of the process, and is very limited in its extent.

922. Has it not a great effect in making a good seaman?—No doubt, with good conduct, as a rule, he will be a good sailor in time.

923. Do your captains, as a rule, adopt a plan which in former days was very common, of small indulgences while at sea; for instance, a half-holiday on Wednesday, or an hour or two recreation on Saturday, or on any other day of the week; do you know of any system of that kind being practised in the ships that sail from Liverpool?—I cannot say that it is; but we have a system in our ships of insisting that nothing beyond absolute work is to be done on Sundays at sea, and I believe most shipowners do the same; I believe that is the universal practice; and if any man is made to do undue work, such as scraping masts, it is for some offence. As a rule, a seaman's life on long voyages is a very easy life; beyond washing the decks and scrubbing, there is very little to do on board the ship. We try to give the seamen an interest in other things, by providing libraries, as many other shipowners do.

924. Do you find that your seamen, who are evidently a very superior class of seamen, many of them appreciate that kind of treatment and indulgence at sea, and that it attaches them to your service?—I think they do; out of a ship's crew that arrived last week, the same one that I referred to before, I think all, except two men, got good conduct money. I forget how many forecastle hands there were; but except two men they all got good conduct money.

925. Can you say whether those two men were rather looked down upon by their fellow men for not having earned the good conduct money?—I should explain that by saying that those two men shipped at Calcutta, they did not go the round voyage of the ship, and we always make it a condition that the seaman who gets good conduct money must go the round voyage in the ship.

Mr. *Hamond.*

926. As to Clause 4 about seamen neglecting to join, and also deserting, you give us these numbers, 2·7-10ths per cent., those who refused to join, and 1-2000ths those who desert; that is so, is it not—Yes.

927. And then you tell us 42 per cent. are prosecuted for neglecting to join?—Forty-two per cent. are not prosecuted in consequence of the owners neglecting to prosecute them.

928. Fifty-seven per cent. are prosecuted, you say?—Yes.

0.54.

Mr. *Hamond*—continued.

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929. That is 42 per cent., and 57 per cent. of the 2·7-10ths, and the 1-2000ths, I suppose?—I scarcely follow you. The 42 per cent. are not prosecuted, because the owners decline; the remainder are prosecuted.

930. I want to know what the 42 is the per-centage of?—The per-centage upon those who have neglected to join.

931. As to this advance note, you say you propose to include with "money" "an advance note;" but would not that be an additional advantage or premium to the crimp to get a legalised advance note for the first time?—The advance note has not been dealt with in the Bill; we have not dealt with it here at all. We simply, as I explained before, looked upon the money put down here as money given in advance, and we therefore say that the advance note should be in, too. I am not expressing an opinion on the advantage or disadvantage of the advance note at the present time.

932. I thought you suggested the insertion of "an advance note," following the word "money"?—Yes.

933. Would not that be for the first time legalising the advance note, and giving an additional premium to a crimp, giving him a power to sue the sailor which he at present has not?—I think that opens up another matter; it opens up the question whether an advance note is a good thing or a wrong thing, and upon that I can give you my own views, but the Bill does not deal with that.

934. You propose to insert that phrase?—To take that as a payment either of money or a paper payment.

935. Then that will give the crimp a right to sue upon it?—The crimp never sues upon an advance note.

936. Not now, but he could under those words, could he not?—I do not know that it would do that. We go in for doing away with Clause 4, altogether; practically the money paid here is an advance; the advance note is a paper advance.

937. The advance note is a conditional payment advance depending upon the men joining?—Yes, it is, but is never paid within 10 days of the ship sailing from the port.

938. Would not that increase the chance where men desert of having scum as substitutes if the crimps merely get hold of them for the sake of the advance note?—But the advance note exists now, and this is not abolishing it. You do not abolish it or make it illegal.

939. By putting it in the Bill it would become a legal document?—It is not compulsory on the shipowners to give an advance note.

940. Your objections with regard to Clauses 6 and 7 would be obviated, would they not, by letting the signing of articles be the time at which a seamen or apprentice should be taken as joining his ship?—It is so now; but, at the same time, the law only operates from the time that the seaman is ordered to be on board, and that is an hour or two before the ship leaves the dock.

941. Now with regard to the Admiralty jurisdiction, which you mentioned a little while ago, as to the arrest of ships for wages, you proposed that that should be abolished; can you give us any information of the number of ships that have been arrested at Liverpool, and the amounts for

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Mr. *Hamond*—continued.

which they have been arrested?—I could not; but in the committee where this Bill was discussed, though I had no case myself, several of the gentlemen there stated that there were many cases, but I am not in a position to give any number.

942. You are not aware of any?—I am not aware of any within my own knowledge.

943. Then you are not aware of any injustice that has happened to any shipowner at Liverpool by reason of the present power of arrest of ships?—I know no case of that, but I say it would be a very great injustice indeed; that there are cases is a fact, and numerous cases, as some gentlemen stated at our committee.

Mr. *Bates.*

944. With reference to an advance note, if a sailor who has got an advance note, payable 10 days after the ship sails, and he is doing duty on board, does go in that ship and does sail, cannot the holder of that advance note, duly indorsed by the sailor, make the shipowner who has given it pay it?—Most certainly, if the seaman has gone in the ship.

945. If the sailor has fulfilled his portion of the agreement, cannot the holder of that advance note make the owner pay it in any court of law in Liverpool?—Certainly, it must be paid if it is presented.

946. Now, in this Committee, we have had it suggested that we should get our crews three or four days before the ship sails in the Liverpool docks, and in that way secure them as being ready when the ship goes; would it not be perfectly impossible to keep crews on board under any circumstances whatever?—The practice now with many owners is this: instead of shipping the men just the day before a ship sails, they will ship them four days ahead, so that the men get, if possible, over their debauch; and even supposing this were carried into operation, that you must have your crews on board, they could not be kept on board; you have no provision to keep them on board in dock, in fact it would be im-[illegible]cticable. You are not allowed fires, for in-[illegible]e, in some docks.

[illegible] I have not been in business in Liver-[illegible] you know, for some years, but did you [illegible]wn to see your ships go out of dock? [illegible]y do that; and I go down and see [illegible].

[illegible]ever see your overlooker, or your [illegible] connected with you, go up to [illegible]ou may have seen standing [illegible]de the fellows to go on [illegible] just going out of dock? [illegible]e done. I have myself [illegible]oker, "Cannot you get [illegible] and he said, "If I put [illegible]ld turn away."

[illegible]ossible?—It is impos-[illegible]

[illegible]e that washing decks [illegible]omething tantamount [illegible]cessary; are you not [illegible]limate it is necessary [illegible]e a day, but many [illegible] the ship and cargo? [illegible]en up from the great

Mr. *Plimsoll.*

951. Clause 9 is objected to by you on the ground that it gives a single seaman a right to ask for a survey, and you think the present state of the law more reasonable?—I think it is.

952. Does it not occur to you that a seaman *per se* is a very unfit judge of structural unseaworthiness?—Many of them are, undoubtedly.

953. Should you not say that they were generally?—I should not say so.

954. Do not you think that it would be much better that all ships which were regularly surveyed by recognised authorities who enjoy public confidence, should be deemed seaworthy, and not be made subject to this enactment?—That is opening up matters which were discussed two years ago by the shipowners, and this was the outcome of it: that not less than one-fourth of the crew should be able to require a survey.

955. Do you not think that the great body of shipowners would be safer and in a better position supposing that seaworthiness was assumed in the case of all vessels placed under a regular survey by any authority deemed sufficient for the purpose?—It is a question; we have many shipowners whose vessels are not classed at all, and they prefer not to be classed. I class all my ships, for a very good reason, that I am not a mechanic, and I should be very sorry to undertake to build a ship without surveyors belonging to a registry to see that the thing is properly done.

956. You are a shipowner?—Yes.

957. I do not ask the next question as imputing anything to you; but I am told that the major part of the shipowners do not find it necessary to arrest the men and send them to gaol; do you find it necessary to send men to gaol?—My experience is this: a number of us in Liverpool made up our minds to prosecute every man who neglected to join, to see if we could stop the evil which was evidently increasing; since then, when the runner comes up from the shipping office to tell me that two or three men have neglected to join, and asks, "What am I to do?" I always tell him "Prosecute the men"; but I have never had a case of any of our men being got hold of.

958. Therefore, as a matter of fact, you find that the more respectable shipowners are not the people who find this severity necessary?—Fifty-seven per cent. of the men who neglect to join are ordered to be prosecuted by the shipowners, but very few are found.

959. But that 42 per cent. is 42 per cent. of a small proportion?—Of those who neglect to join.

960. Who themselves are only $2\frac{7}{10}$ of those who go to sea?—Of the total.

961. Did I understand you correctly that you, yourself, have not had occasion to send men to gaol?—That is true, because the men have not been found; they would have been sent to gaol if they had been got hold of, but they have never been got hold of; I should not say they would have been sent to gaol, but they have not been got hold of.

962. Has it come within your knowledge, as a shipowner, that a vessel will be frequently found by a crew to be utterly unseaworthy soon after she leaves port, and then she puts in at some other port, Falmouth, or Cardiff, and a crew engaged at a distance are taken to her, because the people on the spot cannot be induced to ship on

Mr. *Plimsoll*—continued.

on board of her?—I could conceive the case probable, but I know of no such case; such a case is perfectly possible, but very improbable.

963. Would you be surprised to hear that several cases of that kind have come to my knowledge?—I should not be surprised.

964. In the cross-examination of the previous witness, you heard the case of the "Tiava" alluded to in which six men were sent to gaol for refusing to wash decks on Sunday; we cannot tell whether that was in peculiar circumstances when it was necessary to wash these decks for the safety of the ship; but do not you think that to send six men to gaol for 12 weeks is a very extraordinary punishment to inflict in such a case?—I should say it would be; but I do not believe any magistrate has inflicted such a punishment simply because men refused to wash the decks on Sunday.

965. If evidence was given to that effect, the case should be investigated, you think? — I should say it was a case to be dealt with as Captain Barnes case was dealt with.

966. Are you aware what a man, guilty or innocent, who is committed to gaol for a term, or is remanded simply, has to experience; suppose men are arrested for neglecting to join their ship, or for desertion, and the magistrate remands them or sends them to gaol; are you aware what it is to be sent to gaol?—I have no experience on the point.

967. I should almost like that the shipowner really could be in a position to judge of the treatment that the men have?—I hope not to know it by experience.

Mr. *Plimsoll*—continued.

968. I should like to enlighten you on this subject before I have done; but I will pass from that to another question; I believe there has been a great difficulty in finding a sufficient number of men to man merchant ships for some years, has there not, of the kind you would like to have?—Yes.

969. Do not you think that scarcity may be well accounted for (supposing that case to be true, and supposing it to be typical of a number of others) by the fact that men are liable to be sent to gaol for 12 weeks for refusing to comply with an arbitrary and tyrannous order; should you not be very much surprised if Englishmen like yourself were willing to expose themselves to such an indignity?—I believe that the cases of such tyranny as you name are so few and far between that they can have no effect whatever in deterring men from going to sea.

970. The tyranny does not appear to consist so much in the order given to the men as in the magistrate who committed them to gaol, assuming that the case has been correctly laid before us; do you happen to know how many men have been committed from Liverpool to gaol during the last few years?—Yes, I have given the figures already; about seven men in every 4,000 shipped.

Mr. *Gorst.*

971. Could you give the actual number?—On the average of the last five years the actual number is 193 men sent to prison annually for neglecting to join and for deserting; that is out of 107,997 men shipped.

Tuesday, 12th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gorst.
Mr. Bates.	Mr. Gourley.
Mr. Bentinck.	Mr. Macdonald.
Mr. Thomas Brassey.	Mr. O'Shaughnessy.
Mr. Burt.	Mr. Plimsoll.
Mr. Corry.	Mr. Torr.
Lord Eslington.	Mr. Charles Wilson.

THE RIGHT HONOURABLE SIR C. B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Mr. P. TALBOT PETERSON, called in; and Examined.

Mr. *Peterson.*

12 March 1878.

Lord *Eslington.*

972. I BELIEVE you are a member and an active member of the Ship Masters' Society of London?—Yes.

973. May I ask how long has that society been established?—Very nearly two years now.

974. How many years have you been at sea yourself?—Twenty-nine years.

975. How much of that time have you been in command of a ship?—Fifteen years.

976. I presume in various parts of the world?—Yes, all parts of the world.

977. Consequently we may assume that you have had a long experience, and a pretty accurate knowledge of the feelings and habits of seamen?—Yes.

978. From your knowledge and experience, I should like to ask you this general question; in your opinion does the present law provide sufficiently or does it provide insufficiently for the maintenance of discipline on board ship?—In answering that question I should say that the law does not provide in one way, and it controls the power of the captain in another.

979. I will divide my questions to you into two categories: I will ask you questions, first, with regard to the conduct of the seamen, and I will ask you, subsequently, questions in regard to the authority of the master; perhaps it would be convenient for you to give your evidence under those two heads; have you studied the Bill now before the House which deals largely with the matter of discipline?—Yes.

980. Do you approve of the double system of discipline which is created by this Bill?—No, I do not.

981. Do you approve of the different method of treatment which the Bill proposes between the time of signing articles and joining the ship and the subsequent period?—Certainly not.

982. As a rule, when do men join the ship?—At the very last moment, when the ship is leaving the pierhead, and they are generally in a state of drink, more or less.

983. Is that your experience generally?—Yes, generally; in short, it is the rule; it is very rare to find five sober men out of 20.

984. What is the consequence of that state of

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things?—The ship is endangered, and often causes an immense expense to the owners, of course. For instance, my own experience in command of the "Annesley" coming out from Liverpool, two-thirds of the men were tipsy. I had a fair wind off the Ormes Head, and I had a steamer round, and I had to keep her on down to the Head, for I could not leave the ship to the men. I dare not leave the ship in their hands.

985. What was the number of your crew?—We had 24 men in all.

986. But a portion of them were unfit for work?—Yes, because two-thirds of them were tipsy.

987. With regard to the matter of the men not joining the ship, is that a common experience?—Very common.

988. And the consequence of the men neglecting to join is, that you are forced to provide substitutes?—Yes.

989. Do you approve of the substitutes?—No; as a rule you will find that those are men who are just put aboard by crimps. I have seen myself a man that played an organ about the street put on board the ship as a sailor.

990. I need not ask you whether the better portion of the crew, that is to say the good seamen, approve of substitutes?—No; as a rule, if one of those substitutes is put on board a vessel there are always dissensions and annoyances and quarrels amongst the crew themselves, because one man has to do another man's work.

991. And consequently the crew suffer by the presence of those substitutes?—Yes.

992. When do you think a man ought to be held to be a deserter, on the departure of a vessel?—If he is not on board by the time which is stated in the articles. There is a certain hour always given in the articles that the men shall be on board; we will say 10 o'clock on Wednesday; the ship is ready to go out at 10 o'clock, and if the man is not there I say he is a deserter, and he should be so treated.

993. The master is involved in all those difficulties which you have just described?—Yes.

994. Is this description of desertion, which we will

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will call, for the sake of distinction, neglect to join his ship from desertion, a common offence?—Very frequent. There is never a ship hardly goes away without one or two short. I have on rare occasions taken the full amount away, but so sure was I of it, that if I have been shipping hands, and by some mishap there has been one hand shipped more than was necessary for the complement, it did not give me any uneasiness; but that it is common I can show by a list from my owners of what they have suffered in a year from desertions.

995. You are not now speaking of one port only?—No; generally of Liverpool and London.

996. Are deserters, that is to say, men neglecting to join, commonly arrested without a warrant?—No; in my experience it is rare that they are arrested at all, because it is so much trouble and expense.

997. I suppose their address is not known, or it is difficult to find them?—We never can find them. If a man has given his correct address, he will move when he has deserted.

998. Your attention has been called to Clause 4, by which the contract between a master and a seamen between the time of signing articles and joining the ship, is, in future, to be regarded as a civil contract alone?—Yes, my attention has been called to that.

999. Do you approve of that clause?—Certainly not; it will not act in any way, because we should have no hold upon the men at all. He has entered into an agreement with the owner, the same as the owner has entered into an agreement with the sailor, to have a good ship there for him when he joins, and by the same agreement the owner is bound to pay him his wages, and feed him, and start him off, and, if not, the man has got his remedy at law. But if this comes into force we shall have no power over the men at all; in short, signing articles will be a futile affair; there would be nothing binding on the seamen that I can see.

1000. Under the violation of a civil contract such as that proposed, I presume damages would be leviable upon the offender to the extent of a portion or the whole of his property?—Yes, but the sailor has no property, as a rule.

1001. As a matter of fact, have those men much or any property at all?—No; as a rule the public-house gets the last two-pence before they jump on board.

1002. Leaving what little property they have behind them?—Yes.

1003. Then in those cases in your opinion no damages would be forthcoming?—Impossible. As a proof of desertion being frequent I have a list from my owners, Messrs. Temperley, Carter & Darke, of 25 vessels sent to sea in one year, or rather in 13 months, from December 1876, which shows that 830 men were engaged; there were 35 deserters, and for substitutes it cost them 49 *l.*, which gives the deserters as 4·2 per cent. of the seamen. There is one case where the crew were nearly all drunk; that is the "Jumna"; and they had to stop at Gravesend the night. That is to be taken into consideration as another expense which we have not taken in. There is another ship, the "Warwick," where the crew was all sent down from London to Cardiff.

1004. Was the crew sent from London to Cardiff because they could not get men at Cardiff, or because the men were unfit for the work?—I think not the latter; we often send crews for ships from London to Cardiff.

1005. Can you tell the Committee out of that 4·2 per cent. of deserters during that year, against what number proceedings were taken?—None at all.

1006. In your opinion has the recent legislation, taking that to include the legislation of the Merchant Shipping Act of 1854, up to the present time, tended to improve the character of seamen?—No, I think not; I think it has a tendency the other way: it estranges the captain from the seamen, and the seamen from the captain. Confidence and reliance used to be placed in the captain, and then his position was very comfortable, and the captain again took a pride in his crew by treating them kindly; but now there is a feeling of antagonism one to the other. The men are well aware that there are certain laws and rules which are binding very strongly upon the captain; of course there are captains who would treat their crews properly before, and they will not be biased by those laws, but there are some masters that would feel a vindictive feeling and say, "When I have got the chance I will punish all of you"; no legislation can stop a captain from petty annoyances to his crew.

1007. Will you tell me now something with regard to your experience of desertion at foreign ports?—I have seen a great deal of desertion; there are continual desertions from all ships; I have generally kept my men; I have had a case of desertion here and there, but very seldom in foreign ports.

1008. Perhaps you go on the principle of treating your men as well as you possibly can?—I endeavour to do so, and to make them comfortable.

1009. Binding the seamen to you by kindness is better than legislation?—Yes, I think that will act better upon the mercantile marine.

1010. Is the cause of the desertion in foreign ports the better wages to be obtained in other ships, or what is the cause?—That is some cause, but I think it is the natural love of change in seamen. In Calcutta they generally desert, but they get no more wages, as a rule, than 3 *l.* to 3 *l.* 10 *s.*

1011. Do they desert in foreign ports to serve under foreign flags or other English ships, or how is it?—It used to be frequent in America; they would desert to sail in American ships, because they got a higher rate of wages. It is some time since I was in the States, and I believe there is not much difference in the pay.

1012. Am I right in supposing that desertion, both in Canadian and American ports, is very frequent indeed, and often complained of?—Yes, in Canadian ports, as a rule, it is. I have taken ships there myself, but I have lost no men.

1013. Are there special reasons connected with the state of trade which will account for that?—No.

1014. Now we will go to the subject of the authority of the master; is the authority of the master sufficiently supported, in your opinion, to enable him to maintain his position?—As the law stands now it is by punishment inflicted upon mutinous men, and I think it is firm enough in one way; still I think there should be more power lodged, while he is at sea, in the captain's hands; but if he abuses that power, when he arrives home he should be punished more severely than he is at present.

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1015. Will

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1015. Will you tell us, because it is an important matter, precisely, if you can define it, what the power of the captain is on board his ship?—It is an absolute power while he is afloat I consider, and nothing can step in to alter that power; but the exercise of that power entails punishment in a great many cases.

1016. The exercise of the captain's authority when at sea, I presume, depends in every case upon the ability or the willingness, of a portion at least, of the crew to support him?—Yes.

1017. Have you found in the cases where you had had to exert your authority, a willingness always on the part of the crew to support you?—In my own personal experience I have always found the crew generally willing to support me; although there may be a hanging back through a false feeling of shame, they have acknowledged the right. If I may be allowed to cite a case, when I commanded a vessel called the "Clarendon" she made a little water, but nothing to speak of. We were bound to Aden, but when we were off Rio a portion of the crew would have it that she was not seaworthy, that she was making too much water. The other members of the crew were quite willing to go on, but they said they could not leave their own shipmates, they must stick to them. Of course I would not give in, but they mutinied upon me in the way of refusing to do any work. Five or six of them came aft and agreed to work, out of a crew of 32, but the remainder were so powerful that I thought there would be bloodshed, so I put into Rio, where we were surveyed, but there was nothing the matter with the ship.

1018. You were surveyed, and as the result did the men go on all right afterwards?—No, the men ran away the same night I had her surveyed, and there was nothing particular to do to her; she was just making a little water, and I just caulked the top side of her.

1019. You directed the survey yourself?—Yes, for the owners of the ship.

1020. Of course you had to engage a fresh crew?—Yes.

1021. Did you bring the ship home?—Yes, and I took her out to Aden; I was out with her two years and three months after that, trading on the coast.

1022. Without any further repairs being executed?—Yes; we just did some caulking to her decks, owing to the heat of the sun, in different parts, and we finally lost her in the Calcutta river.

1023. You lost every man of your crew at Rio, did you not?—Yes, except those five that supported me. They went round with the ship and I made them a present for it afterwards.

1024. May I ask on that occasion did the mutinous conduct of the crew involve danger at any time to the ship?—They did not use any force at all, but when I gave them an order they would not obey it; they would not work, and that involved danger to the ship, of course. It was fine weather at the time, but if it had not been they might, perhaps, in order to save their lives, have obeyed my orders. She was afterwards stranded on the "James and Mary," in the Calcutta river, owing to the pilot's negligence.

1025. But she performed her voyages for two years and three months afterwards?—Yes.

1026. May I ask you whether there is any feeling in the minds of masters, generally, that in the event of their conduct being called in question when they come home, and proceedings being taken against them by the seamen, they do not always receive justice at home?—Yes, that is the idea throughout; that they are prejudiced against us captains as being tyrannical and cruel to our men, and the great majority of the fellows that misbehave themselves fail to get properly punished on that very account.

1027. Does not that add considerably to the difficulties of captains in maintaining proper discipline at sea?—Yes, and with regard to the safety of the ship also.

1028. What do you mean by the word prejudices; on whose part?—On the part of people on shore and of the Legislature, that we have too much power in our hands, and they want to take that power from us which we have been hitherto unduly exercising it; that is the idea with all the masters.

1029. Then I may put it this way, that shipmasters feel that public opinion is rather against them than on their side?—Yes; I can cite a case which occurred in Calcutta. It was in my present ship; unfortunately, my second mate misbehaved himself on the voyage out; not so that I could confine him; there was no assault or anything of that sort; but he was impudent and refused to obey orders, so that I put him off duty and placed the third mate in his place. I let him have the full liberty of the vessel, of course, to walk about in, and I gave him his discharge; but I had no power to punish him for this, except only stopping a day or two's pay. I asked the magistrate only to deduct a day or two's pay for his insolence, and I paid him up his wages and let him go. Shortly after that the fellow got drunk, and came on board the vessel in a dingey, and insulted me grossly and used most abusive language, and threatened to strike me, and made a very great disturbance on board the ship one Sunday; I took out a warrant against him and took him before the magistrate, and all the punishment was that he was bound in his own recognisances of 50 rupees, and he went to sea the next day. There was a general outcry on the part of all the captains there at the injustice of the sentence, and that we shall all be treated the same; that is the idea that captains have, that whatever we do we shall always be judged in fault.

1030. Where did this occurrence take place?—In Calcutta in 1876.

1031. And it was tried in a local court?—Yes.

1032. If you have occasion, or if you find fault with one of your crew for not performing his duty promptly, or if you found fault with him for not obeying any order that you may give him, what punishment would you inflict upon him?—I have a set of rules that I give to my chief officer to have carried out, such as on Saturday mornings to wash the decks, and that Saturday afternoon is for the men themselves to wash their own clothes; and I allow no work done on Sunday. Those are indulgences, but if a man misbehaves himself I should call him aft, and if it was very serious log him, but if it was a trivial piece of impudence, or anything like that, I should tell him I was going to punish him, and send him about some job of work when the other men were not at work.

1033. You

Lord *Eslington*—continued.

1033. You would deprive him of the indulgences that you gave the rest of the crew?—Yes.

1034. Supposing you log him, do you, when you enter the offence in the log book, read out to the man and to the other seamen the entry?—Yes, we are required to do so by law.

1035. Is that, in your opinion, a good practice or not?—No, I think not; but if the law was altered in a measure it would be a good practice.

1036. What is the direction in which you wish it to be altered?—I think it is in this Bill that we shall be able to rescind any entry in the log. Then I would read it to them, and to the man who committed the offence, and tell him if his behaviour for the future was better, I would have the power to rescind it or erase it.

1037. Then you approve of that provision in the Bill?—Yes.

1038. The tendency of this evidence of yours, I take it to be, is to show us that indulgence and kindness, tempered with fairness and courage, is necessary to maintain discipline on board ship?—Certainly; better than all legislation.

1039. I want to ask your opinion upon Clause 9 of this Bill, whether you approve of enabling one seaman to direct a survey; at present, I think it requires five; what is your opinion upon that change?—I should certainly require five or more, but I certainly do not approve of one.

1040. You think that one single ill-conditioned man might put an owner to a great deal of trouble and expense for nothing?—Yes; of course amongst a crew of 20 or 30 there is always one ill-disposed man, generally; unfortunately, there are more than that, and if a ship is really unseaworthy, the whole of the crew will know of it as well, and they will all want to save their lives if they can. I think it should be half the crew; and again it is putting the owners to an immense amount of trouble and expense. My idea is that for those fellows who merely do it out of maliciousness on their part, the punishment is not sufficient in this Act.

1041. You are now referring to Clause 9, Subsection 10, where one month is given for a malicious allegation?—Yes.

1042. You think that an insufficient punishment?—Yes; in 90 cases out of 100 they have have had a month's advance, and they have a month's imprisonment, and they are really paid while they are in prison.

1043. You wish to make some remark, do you not, upon Clause 15?—Yes; I take exception to the whole of the section where the captain is to have the look-out place kept and relieved. As it reads there, the captain, to act up to the idea of the Bill, as I take it, would actually have to come on deck every two hours to see to the relief. Again, even if that was passed over, it would be putting the captain in the hands of the crew entirely; they would be set in judgment over him in every way. For instance, there is frequently a case where you want to call a man off the look-out to assist for the safety of the ship. Malicious men might watch their opportunity and cite the captain upon that instance. Again, I think it would be subversive of all discipline in every way to put the captain in the hands of the crew, and to let them think they have the power to judge him.

1044. Then with reference to that portion of the clause which deals with the seamen, what

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have you to say?—I think again it is hard upon the sailors, for this reason. There are some few tyrannical men at sea, and this section says: "A seaman or apprentice to the sea service who, when on duty on the look-out, is drunk or asleep, or otherwise neglects to keep the look-out," and so on; any malicious captain having the power might say that the man is not keeping a look out, and then inflict this month's imprisonment upon him. Of course when at the look-out, that is a very important portion of the man's duty, and if he leaves the look-out without orders or is asleep while there, the look-out requires no new punishment; he is punished already; he is not doing his duty, and we can punish him at sea by the present Act.

1045. We are not to understand that you are undervaluing the importance of keeping a look-out?—Not at all; that is always kept, principally from the poop or the bridge.

1046. Are you aware that this clause was suggested by the recommendation of the Royal Commissioners in their report on unseaworthy ships?—No, I am not; that is my own idea, and that of my society too.

1047. You have something to say upon Clause 16, with reference to theft and injuries to property; do you consider that instead of imprisonment for broaching cargo, a forfeit of wages is advisable?—Not in any way. I believe a portion of the section of the Bill reads that if a man breaks into a chest, or steals a small amount of property from it, he can by restoring that property, at the discretion of the Court, be let go free. I think that holds out a bait to a man. Perhaps two men will break into two different chests—one man may steal five pounds' worth, and another five shillings' worth—if the magistrate takes a lenient view of the case, and allows him an opportunity of restoring the property stolen, the man who may have stolen five shillings, if he restores it, is let go free; but the one who has stolen five pounds has not got the five pounds to restore, and he is put in prison. They are both equally thieves, and both are annoyances on board a vessel.

1048. You object, do you, to this discretion on the part of the magistrate?—Certainly; and my society say: "The punishment for the offences mentioned herein when dealt with by a Court of Summary Jurisdiction is most inadequate. The substitution for imprisonment in the form of forfeit of wages in Sections 13, 16, and 17 is undesirable. Bearing in mind the case of the 'Crownthorpe,' where the crew mutinied, broached cargo, and upon arrival at Auckland the case being dealt with summarily (as the vessel was bound by charter and unable to wait two months for the sessions), the prisoners were sentenced to a few months' imprisonment. This society would most respectfully submit that the present Bill should be so modified in Committee as to enable a Court of Summary Jurisdiction to give a very long term, say two years, with or without hard labour, and should contain a clause providing that a master, officers, and crew of a ship not able to stay to prosecute in the Superior Court should not be bound over to prosecute in the Superior Court, but that instead thereof that evidence should be taken before a magistrate or Commissioner, duly appointed, who shall sit *de die in diem* till all the evidence has been given, and that the accused should personally or

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by his counsel be entitled to cross-examine the prosecutor and his witnesses. The above should be on oath, and should be taken and used at the trial of the prisoner in the same way that examinations of witnesses about to leave England are now taken and used at the trial of causes in England."

1049. Are you reading from a printed statement issued by your society?—Yes.

1050. Will you hand that Paper in?—I think it is before the Members of the Committee already. More particularly with regard to this case, there is one member of our committee, Captain Burrows, who fitted out the "Crownthorpe," and he could give you more evidence upon that than I can do.

1051. I want to ask you a general question. We have been told that in the case of seamen shipped from a principal port, if they are put on the railway at the principal port to go to the port from which the ship is to sail, they are obliged to be attended by a runner, because if they are not they will bolt. I want you to explain to the Committee why it is that this remarkable tendency is exhibited by seamen to bolt?—I believe as a rule they have had their money given to them in cash instead of an advance note when they start from Liverpool, and having it in their possession, and there not being very much honour amongst them, they take the first chance to run.

1052. Are we to understand really that there is little or no love amongst seamen for their profession?—I am afraid it is degenerating; in my time they had, but they seem to have lost all that little chivalry about it and their love of their profession that they formerly had, that is my experience. They are degenerated in every way, so far as the trouble of taking crews round from one port to an out-port. I had occasion to take a crew round from Liverpool to Barrow-in-Furness, and instead of taking them by railway, I had a tug-boat at the landing-stage and put them all on the tug-boat, and took them round to my vessel which was lying at Peel, and they could not get away out of the tug-boat.

1053. Do you experience difficulty in retaining your crews; that is to say, after you have discharged them will they come to you again when you get a fresh ship; do you find that frequently?—In my own personal case I have found that on two or three occasions, but they have generally spent all their money before my ship is ready to go to sea again, and they are forced to join the first ship they can.

1054. Do you adopt any plan of premiums to your seamen for good conduct?—I have never had an opportunity to do so; I only treat them very kindly on board. I give them certain rules which I am about publishing.

1055. Are they hung up in the forecastle?—Yes, and given to my officers; and the officers and crew read and obey the rules.

1056. Have you any system by which you hold out any premium to sailors for continuous service?—Not in my employ.

Mr. *Bentinck.*

1057. Referring to a question which was put to you by the noble Lord, I understood that question to be whether the authority of the master is sufficiently recognised; I want to put the question in a more direct shape and to ask you, in your opinion, are the disciplinary clauses in this Bill sufficiently stringent to enable the master to maintain his authority?—Not in some cases. I think in the case of striking an officer it is inadequate, and that there should be greater terror held over the men.

Mr. *Bentinck*—continued.

1058. You want rather more stringent powers for that offence?—Yes; and if an officer struck a seaman, whatever position he was in, he should be more severely punished.

1059. Would not a master be justified in putting a man in irons for striking an officer?—I think so certainly.

1060. Would you yourself hesitate to take that course?—I certainly should not, although I should expect to be punished hereafter for it. It is subversive of order and does away with all discipline entirely.

1061. You of course have gone carefully over the clauses of this Bill; in your opinion are not many of the punishments which are awarded by the Bill very inadequate to the offences?—Yes.

1062. With your knowledge of the character of seamen, and more particularly of the modern class of seamen, is not the punishment of imprisonment, without hard labour, no punishment at all amongst a certain class of seamen?—No punishment whatever; it is rather an amusement to them, especially in foreign ports.

1063. They look upon it as a pleasant idle time?—Yes, they do.

1064. Referring to Clause 15 of the Bill, which says: "A seaman or apprentice to the sea service who, when on duty on the look-out, is drunk or asleep, or otherwise neglects to keep the look-out, shall be liable, on summary conviction, to be imprisoned for any period not exceeding two months, with or without hard labour; and, at the discretion of the court, either in addition to or in substitution for such imprisonment, to forfeit out of his wages a sum not exceeding one month's pay;" a bad look-out may lead to the loss of the ship, and of the life of all hands?—Yes.

1065. In your opinion, is not that punishment of two months' imprisonment without hard labour, at the discretion of the magistrate, a very inadequate punishment for an offence which may lead to such disastrous consequences?—Certainly, if a man is guilty of it. There is a further remark which I should like to make on the words "or otherwise neglects to keep the look-out." A vicious man or a captain wanting to have a spite upon a seaman might say that he was not keeping a proper look-out, or that he might see a ship before the look-out man, or he might twist it about in many ways. I think that if he was drunk or asleep, or if he leaves the look-out without orders, the punishment should be certainly more, say, three months or four months; but I would not have it so much for neglecting to keep a look-out, because that puts it in the hands of some masters to ill-treat their seamen.

1066. You would have the clause differently worded?—Yes, I would just leave out, "or otherwise neglects to keep the look-out."

1067. But in the case of distinct neglect, the look-out man being drunk or asleep, you would have a more severe punishment?—Yes.

1068. You must have watched the sentences given by magistrates in cases of offences on board ship; as far as your observation goes, are not magistrates who are not conversant with nautical questions apt to sentence the men brought before them

Mr. *Bentinck*—continued.

them for grave offences to very inadequate punishments?—Very much so generally, as a rule. I have cited that case in Calcutta in my own experience.

Mr. *Torr.*

1069. Referring to the loss of your ship, the "Clarendon," she was lost, you say, two years and a quarter after the time when the men mutinied under the impression that she was not seaworthy; had the condition of the ship at the time she was lost anything to do with her loss?—No, not at all, in any way. She was stranded on the "James and Mary," a very dangerous sandbank in the River Hooghly. It is very seldom a ship touches that she comes off. We got her off, and I got the cargo discharged, but she was broken up so much that we had to condemn her as a constructive total loss.

1070. Was she a wooden or an iron ship?—A wooden ship.

1071. She was in charge of a pilot, was she not, at the time?—Yes, she was in charge of a pilot, and the steamboat towing her ahead.

1072. The ship, you say, was in good condition at the time?—Yes.

1073. Did the breaking-up of her show that she was a sound ship?—Yes, a very sound ship. She broke up very sound, except that she had been strained by the stranding, for I made the remark, that if I had sent this crew home when I was at Rio, when they mutinied, my owners would have been put to an enormous expense in sending them home, because the consul told me that he could not try them, and he would have to send them home for them to be tried under the Admiralty Court.

Mr. *Burt.*

1074. I understood you to say, in answer to the question put by Lord Eslington, that it is very rare for deserters in the sea service to be arrested without a warrant?—Yes.

1075. Have you ever known cases of the kind?—Not personally. If a man does not join the vessel, the owners and I have, hitherto, not taken much notice of it; it is too much trouble to punish them.

1076. Have you not in your experience had to take men by force on board your vessel when the vessel was bound to proceed to sea?—Yes, frequently; I never make a trip without having them taken on board, either by a runner or by the police. My last voyage I had to keep the ship two hours in dock, and I had two men brought in; at another time I have been lying off in the stream for six hours, and have lost my tide across the bar, because the men have not joined the crew; and they have been hunting them up in different public-houses, and bringing them aboard, tipsy, and not fit for work in any way.

1077. Did you get a warrant before you arrested them?—I cannot answer that question from my own knowledge; I have always been on board the vessel, and have sent ashore on several occasions, because I must be on board, to be ready to start with her.

1078. How is that consistent with your answer, that it is unusual for seamen to be arrested without a warrant?—I meant that it was unusual for them to be arrested, to be punished after the ship has left.

Mr. *Burt*—continued.

1079. I mean, taken on board by force, on their refusing to join your vessel?—It is force, and it is not force. They are generally found in a public-house, tipsy more or less, or in one of the boarding-houses; and the runners, who are interested in their advance note, get the aid, perhaps, of the police, to come with them from the shipping office; and partly by persuasion and partly by force, they will bring those men, hours after they ought to have been on board.

1080. Then it seems that they are arrested without a warrant; they are taken there by the police, and, at any rate, they could not be taken in that way without being arrested?—They agree to go when they are in this state.

1081. I suppose you have a general knowledge of the Employers and Workmen Act?—Yes.

1082. Do you think that that Act might not fairly be applied to seamen, as is done by the fourth clause?—No, I think not; I think it would work very injuriously.

1083. Why would not it apply to seamen?—Because I take it, that when a man has signed to be on board on a certain day, and at a certain hour, that he should be punished if he is not there.

1084. It is just as a matter of convenience to prevent loss that you think it necessary?—Yes.

1085. Would not that apply to a great number of things, in fact, to nearly all manufactories, mines, mills, and everything else?—No, not in my mind. I am applying it to sailors coming on board. The ship is detained, and your cannot move away without those men, and there is an enormous expense going on every day. The man knows that there is a certain time to be there, and he agrees to be there at a certain time, and he gets a certain advance to be there, and he breaks his agreement, and I do not see why he should not keep his agreement as well as the owner.

1086. All those circumstances would apply equally to an engine driver who was engaged to drive an express train, or to the engine-man of a colliery; he could not desert, or he could not break his contract without causing a certain amount of loss and inconvenience, and he would have broken his contract equally with the other?—Certainly; I know very little about engineering, but they could generally get another one directly, and, therefore, the express train would not depend upon one man.

1087. I understood you to say that, to make desertion or a breach of contract simply a civil offence, would destroy all the power that the shipper or the captain has over the seamen?—Yes, all the power of getting them on board at the right time.

1088. I presume you are aware that a few years ago all classes of workmen were liable to arrest without a warrant for breach of contract?—I was not aware of that.

1089. That is so, as a matter of fact, and probably you will not be aware that since that power of arrest without warrant was abolished, offences of that kind have considerably diminished; would it surprise you to learn that since the abolition of this power of arrest and imprisonment which is now entirely exceptional, and only with reference to seamen, offences of that kind have considerably diminished rather than increased?—I could not give an opinion, because I have not studied anything

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Mr. *Burt*—continued.

anything about workmen on shore. It is only at sea that my attention has been given to them.

1090. As a matter of fact, believing as you do, as I infer from your evidence, that it is necessary that there should be this power of imprisonment, and that this power of imprisonment acts as a terror to the seamen, would it not surprise you to learn that since this law was abolished, and it has been simply made a civil contract, the offences have sensibly lessened?—There is some punishment to a workman on shore; if he does not fulfil his contract, the workman on shore knows that he will be punished; but a seaman knows that the ship is away, and he is not punished. The workman has his master, and he knows that he will be punished in some way, whereas the seaman knows that he will get scot free whether the ship is away or not.

1091. If not so, the seaman is on shore and may therefore be taken before a civil tribunal, so that the cases are analogous, and therefore he should be placed on the same footing as other workmen; there is a difference after a seaman leaves and joins his ship?—I do not know what practically is awarded to a workman under the same circumstances, whether he is punished or imprisoned.

1092. He is not punished at all; it is a civil offence?—Then that will not suit with seamen.

1093. I understood you to say that you have been generally fortunate with your own men, and you attribute that to your good treatment of them?—I have certain rules which I give my crew and my officers when they first go on board, and those rules I have before me now.

1094. Would not it be fair to infer that if captains generally exercised the same kindness to their seamen, their experience would be something similar to yours?—Not in all cases. I have been very particular in shipping my crew. I am always two or three weeks about it. Other ships have catch crews, and they cannot devote that time to shipping them; they must take them just as they get them.

1095. I suppose that often captains might exercise greater care in shipping their crews than they do?—Not in all cases. Perhaps they may be only appointed two or three days before the ship sails.

1096. I understand you to say that a captain at the present time has absolute power over his men when at sea?—Yes, I consider that I have absolute power. I do not know whether the law would support me, but I always feel that myself and act accordingly.

1097. Did I understand you to say also that you think that your present power is insufficient, and that it should be increased by law?—The punishment of certain offences of the crew against the captain and the officers of the ship should be increased.

1098. But do you not consider that the captain's power over his crew at present is sufficient?—As it stands, yes; but there are so many ways of reading the law.

1099. We are dealing with the law simply as it is?—If a man were mutinous or insolent I should put him in irons directly, and think that I was doing right, but perhaps the law might think differently when I came home.

1100. Then you think the present law is sufficient, do you?—I think that that portion of the law ought to be clearly defined to the captain, to let him know if he can put a man in irons or not.

Mr. *Burt*—continued.

1101. Coming to Clause 16, which deals with the broaching of cargo, did I understand you aright to say that in your opinion the punishment allowed or provided by the Bill is inadequate?—Yes, certainly.

1102. Have you read Clause 16 carefully?—Yes, that would stand well for the ship provided the captain could wait to let it go to a superior court.

1103. That clause empowers the court to give a seaman or an apprentice to the sea service 14 years' imprisonment if he "embezzles or steals any stores or cargo on board his ship, or any property" on board the ship, "or, with intent to embezzle or steal, breaks any part of the ship, or breaks or opens any package, vessel, or receptacle therein;" do you consider that 14 years' imprisonment is inadequate for offences of that kind?—No, that is if we can insure its being brought home to the men, and this sentence being passed upon him. But the Bill, as it reads further on, comes down to three months for some causes.

1104. That is an additional power; it is alternative to this power at any rate?—Yes, there is this power.

1105. Do not you think there should be a distinction between broaching cargo, which may be a very dangerous thing, and which may lead to the destruction of life and property, and petty theft such as is specified in the clause; if he breaks any part of the ship, or opens any package he may be sent to prison for 14 years; would not you consider that a very severe punishment for simply breaking open a package?—No, because a man that would break open a package, if he would break it open on deck, or in a cabin, if he had opportunity would go down the hold and try to break it open, and there comes the danger. Every ship that sails from port now, has more or less gunpowder or dynamite on board, and many vessels, I am convinced in my own mind, are lost through men broaching cargo. A man who will break into a package in a cabin will do the same in the hold if he gets the opportunity.

1106. Do you still consider that this power of imprisonment for 14 years is an inadequate punishment?—No, that is good; but it is the clause following; it is the opportunity given to the ship's master in foreign ports to bring it home to the seaman that I complain of. I am out with a ship, I cannot stop, some of us can wait, but I might be out in a foreign port, and could not stop to punish the man, and he gets off with a slight punishment, the imprisonment of a few weeks. According to the law he ought to have 14 years if he could be tried for it; all that we ask in the Paper which you have before you is "that evidence should be taken before a magistrate, or a commissioner duly appointed, who shall sit *de die in diem* till all the evidence has been given, and that the accused should personally, or by his counsel, be entitled to cross-examine the prosecutor and his witnesses. The above should be on oath, and should be taken and used at the trial of the prisoner in the same way that examinations of witnesses about to leave England are now taken and used at the trial of causes in England.

1107. You

Mr. *Charles Wilson.*

1107. You mentioned the case of a second mate being impudent; that is not a case that you would think to require any exceptional legislation?—No, I was only citing that as a case of prejudice against masters.

1108. The masters of ships and owners have the power very much in their own hands; they need not employ mates who are impudent, as such a thing gets very soon known amongst the masters?—Yes, certainly; I am only citing a case which happened to myself. We have no power of foretelling what men may be when we take them.

1109. You notice that there has been an attempt to draw an analogy between factories on shore and ships going to sea; do you consider that there is an analogy between the two cases?—None at all.

1110. A ship may be going down in the tideway, and the fact of one man being absent may prevent that ship sailing, and may place her in danger?—Certainly; that has frequently occurred to me.

1111. In the case of shops on shore, supposing a similar danger arose, you can imagine that exceptional legislation would at once be called for?—Yes.

1112. You do not know any cases of a factory or shops stopped by several men coming drunk when they commenced work in the morning?—No.

1113. In fact, there is no analogy between the cases?—No, none at all.

1114. Is there not another thing, that the class of men who take to a seafaring life, are, as a rule, more of a reckless and unmanageable character than those who remain on shore as workmen?—Yes, I think that the nature of their life tends to make them so.

1115. That is the class of men is it not that take to the sea as a rule?—Yes.

1116. So far as your experience goes, is not drunkenness the principal cause of the difficulty?—Yes.

1117. Is it not that which leads principally to broaching cargo, to get at the drinkables on board the ship?—Yes, that is the trouble.

1118. Especially in the Indian trade, where you have a quantity of beer and spirits, the men break into the cargo to get at the drinkables more than to steal?—Yes.

1119. That extreme penalty of 14 years' imprisonment would be for exceptional cases, where there was danger caused by a ship having explosives on board?—Yes.

1120. You would not approve of such a penalty for a man simply breaking open a case of wine and abstracting a bottle of wine?—No, but I would have this sentence hang over his head. He should be liable to it if he breaks into any case; I do not say that I would give it him.

1121. Would not that be a very extreme measure?—Yes, but if you look at the danger; a man that will open a case anywhere will not mind where he goes for it.

1122. Supposing all these penal clauses carried out to the letter, you might have many of the British merchant service imprisoned?—I do not think you understand me. I do not wish that sentence to be inflicted upon every one who does it, but I would have it held over his head.

1123. When you said that nearly every ship that went to sea out of London carried dynamite or gunpowder on board, do not a great many owners exclude such cargo and will not take it at all?—Never any that I have sailed with. It is not dangerous cargo at all if it is kept clear from those fellows.

Mr. *Charles Wilson*—continued.

1124. I think your went to a little extreme in saying that nearly every vessel had dynamite or gunpowder on board?—I mean nearly all to Australia and the Cape.

1125. You did not make any reservation at all, and I think you were a little extreme?—I should have said the Colonies.

1126. You say that you have less trouble with your men than some other captains, because you have taken time to engage them beforehand?—I do not say that; as a rule it might be done.

1127. You must very often have been called to sail upon very short notice, so that you have not had time to pick your men?—Yes.

1128. Supposing you and a great many other captains did the same, what is to become of the other men that are left, that you and the other captains will not take?—I wish they were all good men.

1129. I suppose you would class them as bad men, if all the others had got the good men, and there would be a considerable amount of difficulty with them; would you make any difference in the legislation for long-voyage ships and short-voyage ships; your experience, so far as I can gather, has principally been with long-voyage ships?—Yes, always.

1130. That hardly applies to the great bulk of the short continental trade?—I think discipline ought to be maintained on short voyages equally as well as on long.

1131. You said something about Clause 15, that it would be necessary for the master to be on deck every two hours; I think that that is not the reading of the clause; it is merely that it is his duty to provide for a proper look out being placed; it is the duty of every officer in charge of the deck to see that a proper look out is kept?—One might take it to mean that.

1132. There is always an officer in charge of the deck; I think you take rather an extreme view of it?—A proper look out is to be duly placed; the master is "To provide for a proper look out being duly placed, kept, and relieved." I do not say but what the meaning of it is that the officer is to do it; but it reads that.

1133. It would be impossible for the master to be on deck every two hours?—Quite impossible.

Mr. *Plimsoll.*

1134. In what way do you consider that the analogy fails between a colliery and a ship?—I can see none at all.

1135. What are the circumstances peculiar to a ship which in your judgment justify such a thing as imprisonment for breach of contract on going to sea?—In a sailing ship the safety of the ship depends upon the men joining at the time appointed.

1136. Surely if the vessel does not sail, the safety is not compromised?—They join in a drunken state sometimes.

1137. Do you think that a ship's captain or the owners of a ship are not responsible if they take a ship to sea with a drunken crew; do not you think the responsibility is theirs rather than with the men who drink and do not know what they

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are about?—We generally have a proportion of the men drunk.

1138. When a man is drunk he does not know what he is about; he is not as responsible as when he is sober?—There is generally a portion of the crew drunk; frequently we have to lay a tide at Gravesend, or two tides to let the men get sober.

1139. Does that accord entirely with what you said, that ships are sometimes lost because they go to sea with the crew in a drunken state?—I did not mean that; but certainly there is a danger.

1140. Do not you think that the responsibility is not with the men, who drink and who do not know what they are about, and who are reckless, but with the captain, who is sober, and who, knowing the condition the men are in, goes to sea with the crew in that condition?—The seamen are the cause, but the responsibility may rest with the captain certainly; but he has always a proportion of the crew which he thinks is sufficient, or he would not go. If he has one-half of the crew sober he would go, no doubt, or two-thirds; but if they are all drunk, he has to lay-to and risk every expense.

1141. Supposing that the manager of the Great Northern Railway were accountable for an accident by saying that the engine driver and stoker were drunk, to make such an allegation would excite great astonishment in the country?—Certainly; but I cannot see the analogy. You would not send an engine driver away drunk; he is only one of many, and you could always get another in his place.

1142. Could not the captain of a ship take sober men in the place of drunken men?—No; we would always get sober men if we could get them.

1143. Why cannot you get them?—Because they come up all drunk.

1144. Then we come back to the responsibility; it lies with the captain who sails with the men in such a position, with the captain who is sober, and not with the men who are drunk?—But, as a rule, there are a sufficient number of partly sober men to work the ship; if we have not a sufficient number we may lie in the river at Liverpool or in the Gravesend Reach if there are too many drunk; but if there are only a few drunk, and we have sufficient to take us down the Reaches, we proceed.

1145. I suppose that for a man to be a competent seaman on board a ship he must have some training for the occupation?—Certainly.

1146. Do not you think there ought to be some protection, for instance, to captains against having men put on board their ships as able seamen who were never on board a ship before?—Yes, that would be very desirable.

1147. I suppose you know that if I or any Member of the Committee is ill, the law takes care that if we send for a medical man to attend to us we shall be guarded against any person who was either disqualified or not qualified giving his assistance to us?—Yes.

1148. And if we want legal advice, also, the law again steps in and secures us against being imposed upon by the services of a person who is not properly qualified?—Yes.

1149. Do not you think, having regard to the safety of ships and the property which is put on board them, that it would be as reasonable, at least, that the owners of a ship's cargo, and that the captain, and also that proportion of the crew which is

Mr. *Plimsoll*—continued.

competent to discharge its duty, should be protected in a similar manner against the imposition of men at the moment who know nothing whatever of their duty; that is to say, an A.B. ought to be held by a properly qualified man?—Yes; but how are you to do it?

1150. A good deal has been said about sailors getting drunk, and I do not want to defend them, of course, but you are aware that an ordinary seaman on board a ship, especially on board a sailing vessel, has a monotonous life?—It is rather monotonous.

1151. You are not surprised, I suppose, that men without much mental resourse seek relief in the way in which they do when they come on shore; that is to say, get tipsy, and have what they call a spree?—Yes; I do not wonder at it.

1152. But a man may be very tipsy and very foolish on shore, and yet be a good seaman and behave himself well, as the major part of them do at sea?—When liquor is kept from them.

1153. It would be a most unfair thing for people to suppose that because they see a good deal of drunkenness amongst sailors on shore they are therefore anything but a hardworking, sober set of men at sea?—They are obliged to be sober, because they cannot get drunk.

1154. I observe that you say that if this power of imprisonment were abolished you would have no hold upon the men at all?—We should virtually have no hold upon them.

1155. I suppose you are aware that when men are wanted for any particular occupation on shore there is no lack of them, and that the difficulty is rather to make the selection than to find men for collieries, and so on?—Yes, I believe so. I have not had any experience in that way.

1156. There is a great lack of employment, and now the difficulty is rather in making selection. Can you explain how it is that the sea service is so intensely unpopular that this law, which holds good as to every other occupation in life, should so signally break down when it came to employment at sea?—One cause of the deterioration of seamen, I think, is the want of the apprentice system, that used to supply a good force of seamen. Another is the steam colliers, which are employed so much instead of sailing ships; we have no seamen there. Again, another cause is Australia taking a great many of our best seamen away during the gold diggings, and they have located there.

1157. That is to say, that the condition of life is so very much better on shore, that even if men are brought up at sea they are glad to leave it?—Yes; everybody following the sea generally prefers shore positions.

1158. Do not you think that if the conditions of a seaman's life were improved generally, and if his life was reasonably safe on board ship, there would be the same competition for employment there that there is in every other walk in life?—I do not think so.

1159. You spoke of desertion as being more frequent in Canada than elsewhere; will you tell the Committee how you account for that?—They are generally a poor class of seamen as a rule in timber ships.

1160. Are they a poor class of ships too?—Some of them are, but it is not for that reason. The class of seamen that go southern voyages are far more respectable men. A man goes round with the ship, but a man who goes to Quebec

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Quebec as a rule just goes out for the passage to make the run home in the summer time at the higher rate of wages which is frequently offered.

1161. Have you been in the port of Quebec when ships are loading?—I have.

1162. What is the class of vessels that are usually sent for timber there?—When I was there they had many first-class vessels; some of them, at all events, were of very high class.

1163. Have you ever seen such things as windmills rigged on the decks of ships constantly going to keep the water down. I have not seen them constantly. I have seen windmills on board ships, and very excellent things they are; they have saved many a ship from loss.

1164. Would you be surprised to hear that between 600 and 700 sailors are committed to gaol every year in England because they have refused to go to sea, for desertion?—I should not be at all surprised.

1165. The numbers are accurate from Liverpool; are you aware of the experience of those men in gaols?—No, I never had a conversation with them.

1166. You spoke of seamen losing the chivalry which used to animate them; I suppose there was a time when they had that feeling, but you would think it rather odd if chivalry survived twelve weeks in gaol?—Men of that description, a good seaman that took an interest in his profession, would not be in gaol.

1167. I believe you know a good many have been because many of them have been sent to gaol, and the magistrates have had a survey of the ship and have held that they did quite right in refusing to go; does it not strike you as a little singular that whilst in all other trades and occupations men compete for employment here, you have to employ runners to keep the men together when you are taking them from one port to another?—No, I do not think it is, for this reason, because the seamen, the unprincipled men among them, know that they can get away with my money, and go to another port and ship, and away to sea directly, and there is no punishment. If the workmen on shore had the same chance you would have to make the same rule for them, if they were the same class of men; at all events, I should not like to trust them.

Mr. *Corry.*

1168. I want to ask you whether, in your experience, you have known many men who have been brought up to the sea who would not be willing to leave it provided they can find employment on shore?—No, I do not think I ever met with one yet, from the captain down, but would leave the sea as a profession to reside on shore. Very few like the sea after they have been on it two or three years; they would sooner reside in any profession on shore, captains included.

Mr. *Macdonald.*

1169. Do you mean that that is your experience?—Yes, as a rule.

1170. That captains generally would prefer living on shore?—Yes, they would prefer taking any appointment on shore.

Mr. *Corry.*

1171. You say you cannot see any analogy between employment in a ship and employment on shore with reference to the management of

Mr. *Corry*—continued.

the men; have you ever found in your experience that when you are about to put to sea about one-half of the crew are wanting?—Frequently; as a rule it is so.

1172. You say that you have been very careful in the selection of your crews generally, but, notwithstanding that, you found one-half of your number were wanting when you wished to go to sea?—Yes, they always drive it off to the last moment; they generally, as a rule, find their ship waiting for them; they are in a public-house, and are taking a last glass with somebody, or something like that.

1173. The honourable Member for Morpeth asked you, with reference to putting men on board ship from the public-house and from the pier-head, for instance; do you consider that an arrest?—No, it is partly persuasion and partly by the use of force. Two runners will come running from the shipping office, and one of those crimp fellows who is interested in him, and they hold threats out to the man that he will be punished if he does not go, and as he is in a maudlin state they pull him about, and it is partly done by persuasion.

1174. I suppose you have had instances of men being put on board in that way, when they were intoxicated, jumping into the water?—I have never myself met with one who has jumped into the water, but as we were going through the water off the pier-head I have heard them jump in again and again after being once off on board.

1175. Did you ever find sailors go down and examine a vessel before they ship?—Very seldom; if they went there would be plenty of time. The best men generally come and look at their ship; I have had a few do that, but not as a rule in any way. They never see the ship till they join her with their bags at the pier-head.

1176. What is your experience with regard to foreign seamen?—I do not like them at all; I always endeavour to get Englishmen.

1177. Have you any proportion of foreign seamen on board your ship?—Yes; frequently I am obliged to take them when I cannot get Englishmen.

1178. What is the result of your experience with regard to their sobriety and attention to their duties?—As a rule, foreign seamen are more sober men; they are not given to drink so much as English seamen.

1179. Do you find the same difficulty in getting foreign seamen on board your ship when proceeding to sea as you have with regard to English sailors?—No, very seldom; as a general rule, they are on board the first.

1180. Do you think that the present system of shipping seamen tends to getting a good crew on board?—I think it is a bad system altogether, and that they ought to come to the captain to be engaged. It does away, as I said before, with confidence in each other, between the captain and the men.

1181. You say that doing away with the apprentice system and the change in the coal trade, by carrying so much in steamers, has reduced the number of good men; do you not carry apprentices in your ship?—Yes, we have always four.

1182. I presume that you look to them for officers afterwards?—I do; I always keep a third mate's position open for them. As they come out of their time they become third mate.

1183. How do you do with the apprentices

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who join your employ, but do not turn out satisfactorily; how do you get quit of them?—On many occasions they run away. There are a very few such that stay long.

1184. Supposing that they will not go away, should there not be some provision in the law for them?—Yes, certainly. I reckon that they are under the same law.

1185. Would the 18th clause, with regard to apprentices, meet your approval?—No, certainly I object to that. I should say that no one should have the power to break a contract. I take it that that clause will act both ways, and therefore I object to the clause.

1186. Do you not find it very difficult sometimes on board ship to keep up proper discipline, especially if you are lying in a river like the Hooghly, and the men wanting to get ashore, and getting ashore, and coming on board drunk?—Yes, I have found some difficulty in that very frequently.

1187. Supposing that those men were taken on shore and taken to the police court, do you find that their cases are generally very severely dealt with?—As a rule, no; and they do not care about it either.

1188. Do you think that there is a prejudice generally against masters in the minds of those who execute the law?—That is strongly our feeling. We have had so many cases to prove it.

1189. You do not find that more in England than in foreign ports, do you?—No; it is universal. Of late years there seems to be a prejudice that the captain is always in the wrong, both abroad and at home.

Mr. *Gorst.*

1190. Did I understand you to say that you yourself have the selection of your seamen?—I endeavour to select them, and I endeavour to give them timely notice. A fortnight before sailing I have a notice put up in different places that I shall want a crew of so many men to come on board, and that seamen having good references shall find a comfortable ship.

1191. Do you take any pains to inquire into the antecedents of your men?—No; I merely look at the discharges, and I judge of a man by his looks whether he is a good or bad character.

1192. Do you ever ask them how long they have been at sea?—Yes, I ask such questions as that; but you can always tell a man by his age and look whether he has been at sea before.

1193. Do you generally succeed by your inquiries in obtaining competent seamen?—I have been very fortunate. I have had bad men, of course. I have had a ship with only five or six of the old style out of 28, but that is an exception. I have generally been fortunate, and have kept my crew in foreign ports.

1194. Of course you have to ship them at the shipping office; you must engage them here?—Yes, they go up to the shipping office and sign.

1195. Are your men engaged to come on board at the very last moment?—Yes, certainly. If the tide answers at 12 o'clock we will tell them to be there at 11 o'clock.

1196. You tell them to be on board about an hour before you intend to sail?—Yes, that is what they sign for.

1197. Notwithstanding all your care, is it a fact that when you are ready to go to sea you find that a large proportion of your crew have

Mr. *Gorst*—continued.

not come on board?—They do not come until the last moment, when they stand at the pier-head.

1198. You said, did you not, that about one-half of your crew do not come on board without being brought on board?—I do not mean as many as a half. Frequently two or three would be left behind, and we would have to put them off in a boat.

1199. May I take it that, out of a crew of 28 men, you find that two or three will not come on board?—Not until the very last moment at the pier-head.

1200. Do I understand you to say that, out of a crew of about 28, you will only find about two or three who will not come on board without being fetched?—I think I hardly stated it accurately as only two or three; I have seen eight or ten men brought off.

1201. Are those men who do not come on board until you fetch them the best part or the worst part of your crew?—I think there is very little difference. Sometimes a good man will be overtaken with drink quite at the last moment, and at other times an inferior one; but the former is not the case as a rule.

1202. Is it your experience that, as a rule, those men desert wilfully; or is it merely that they are overtaken by drink and do not come on board, but are not wilfully absenting themselves from the ship?—I am not speaking of deserters now.

1203. Those men are not deserters, but they are men who fail to come on board because they have been overtaken by drink?—Yes; or by putting it off to the last moment.

1204. Have most of those men received advance notes?—Yes.

1205. And they have cashed them, I suppose?—Yes, which is a very bad thing.

1206. Probably a great many spend that money that they get from the advance note in drink?—As a rule, it is so unfortunately. If there were no advance notes there would be no such difficulty.

1207. I may take it that, as a rule, it is the cash which they get from the advance note which enables them to get drink, and so induces them not to come on board ship, or disables them from coming on board ship?—It is the cash which they may get from the advance note. They have very few other ways of getting money.

1208. The men are generally got on board by means of runners, and the runners are the agents, are they not, of the people who cash the advance notes?—Yes; or the boarding-house keepers, or any one that is interested in them in that way. Then there are men that attend from the sailors' home to see those men on board.

1209. I mean that the people who get those men on board do so on account of their own interest in the advance note in some shape or other?—Yes, a great many of them are so interested.

1210. You said that they are brought on board by force; I suppose it is the same sort of force that you use with a drunken man to get him home to his wife?—Yes, partly by persuasion, partly by force, and partly by threats of his being punished if he does not come on board; because he knows that if he does not come on board he will be punished afterwards; at least they

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they know that the owner would take action and prosecute them.

1211. The people who actually put the men on board are those who have cashed the advance notes?—Or people connected with them. There are men appointed from the shipping office to see those men down on board ship.

1212. They get a man on board partly by persuasion, and partly by threatening that he will be prosecuted and sent to prison if he will not go?—Yes.

1213. You say that you have never actually had a man prosecuted?—No, I cannot recollect one.

1214. Then the law is of no particular use to you?—Not as it stands.

1215. Do not you think that the people most interested in the maintenance of the present law are those crimps?—May I ask what system you refer to.

1216. The system of sending the men to gaol if they do not join their ship?—No, certainly not. They are interested in getting the money, but the shipowners would be more interested if you passed some law to force those fellows to join when they have agreed.

1217. Supposing that there was no such law, is it your impression that the crimp would not cash the advance note then?—I suppose he would; he would run the risk at a higher rate of interest.

1218. Do you think that people would give an advance note if there was no law to force a man to go to sea?—I do not suppose they would. We should be perfectly at the seaman's mercy altogether if a man made a contract and he did not keep it. There would be no advance note, and there would be no going on board. I really have not considered that question.

1219. Supposing you have no power to send a man to prison if he did not go to sea, do you think that you would give him an advance note?—Yes, on the same terms, payable if he did go, I certainly would.

1220. Do you think that the crimp would cash it for the man if he had no security that the man did go?—Yes, I should say so; there would be a class of people who would be found for a higher rate of interest to take the risk.

1221. Do not you think that they would demand some greater security when they had no hold over the men at all, and could not put them in prison?—I have not given that consideration. If the owner gave an advance note and there was no power to enforce the man going to sea, the advance note of course would only be paid on his going to sea, and I do not see how the law would affect the owner.

1222. What I put to you is this: the crimp cashes the advance note because he knows that if the man does not go to sea he can put him in prison?—Yes.

1223. Then I say to you if he had not this power to put him in prison, would he cash the advance note, for he has at present good security for his money, has he not?—Yes, in one way.

1224. If he had not his present good security, would he cash the advance note?—I think that there are people to be found who would run the risk for a higher rate of interest.

1225. You say that you cannot send men by railway without danger of their absconding?—You run a very great risk.

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1226. Then the power of imprisonment does not seem to enable you to secure the transit of the men by railway?—It does in a great measure, because if they do run away they can be punished, and they have that dread upon them.

1227. If you send a crew from London down to Cardiff by train, and if that crew aosconds at Gloucester, or any other station, they can be caught and put in prison now, can they not?—Yes.

1228. And yet it is not safe to send them?—No, it is not safe to send them; a few abscond still, but not so much as if there was no law.

1229. Do they abscond successfully?—They get away and go to another port, and ship; but if there was no law there would be more would go.

1230. You do not often have substitutes put on board your ship, do you, at the last moment?—No, I am very fortunate in that respect.

1231. Do you know what class of men those substitutes belong to?—To the worst class.

1232. Who supply them?—Generally the crimps.

1233. Are they not, very often, men who have not gone to sea in other ships?—Yes, I daresay they are; I am not speaking from experience now, because I have had very few substitutes.

1234. Does not this often happen, that a man who has not gone to sea in a ship, and whose advance note the crimp has therefore lost, is put by him on board another ship in order to recoup himself?—Frequently.

1235. And then the crimp says, I will either send you to gaol, or you must go to sea in another ship?—I do not think that that would act so much, because the sailor would run away from the crimp. He could always find an opportunity to get away from the fellow. I do not say always, but generally they find a way if they want to do so.

1236. You seem to be quite aware that when you are upon the salt water you have an absolute common-law power over your crew?—I have that feeling myself.

1237. And you believe it to be so?—Yes.

1238. And you act accordingly?—Yes, I act accordingly, but I am open to punishment; I always have that dread upon me.

1239. Only if you abuse your power?—I do not say if I abuse it; a captain ought to be punished very heavily if he abuses his power.

1240. Is not your power this, the exercise of such authority over your crew as is necessary for the safety of the ship and all on board?—Yes.

1241. Is not that a correct definition of your power?—Yes, it is supposed to be a definition.

1242. Would you not in the exercise of that power put any man in irons who struck an officer?—Yes.

1243. Would you not in the exercise of that power put any man in irons who was doing any act which was dangerous to the safety of the ship?—Certainly I would, and when I do that I know I shall stand a chance of being punished when I come home.

1244. Who would punish you?—The magistrates, for putting a man in irons. It is hardly clearly defined what you can do and what you cannot.

1245. Do not you know that no magistrate would punish you for putting a man in irons if it had been in the proper exercise of your common-

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law power?—But I know a case where it was a proper exercise of that power, and yet the captain was punished. In the case of the "Locksley Hall," the captain was punished at the Thames Police Court.

1246. When?—It was about two years ago; I am referring to Captain Barnes. There was a most disgraceful fellow on board his ship who struck the chief officer, and threatened the life and limb of several of the passengers, and went on in a shameful way; the captain put him in irons for three days, and let him out again for a certain time, and then put him in again; but he would not go to his duty; he would not turn to when it was offered to him. The captain prosecuted him when he arrived home. Mr. Paget gave this man a day's imprisonment for refusing duty, and he then turned round to the man and told him to take a summons out against the captain, and he did so, and he punished the captain with 21 days' imprisonment for putting the man in irons.

1247. Was Mr. Paget of opinion that the captain had abused his common-law authority?—Yes; he said no man had any right to put a man in irons; it was an assault on the part of the captain in putting the man in irons.

1248. Did the captain of the "Locksley Hall" appeal?—No, he could not appeal; I do not know how the law runs, but there is no appeal for 21 days.

1249. Did he ask to have a case stated for the opinion of the superior court?—No; I could cite two or three cases of the same sort at the Thames Police Court, before Mr. Paget and before another magistrate, but I fail to remember them at the moment.

1250. In your opinion the captains of ships do not always get justice before the magistrates?—No, that is our opinion; that is what is thoroughly believed throughout the merchant service.

1251. If justice was really administered in the courts of the land, would not your common-law powers be perfectly satisfactory, subject, of course, to the condition that if you misused it you should be punished?—I really do not quite understand the question, how the common law would act.

1252. You understand your common-law power to be this, to use such authority over your crew as is necessary for the safety and preservation of your ship?—I understand that, but do I understand that I have it in my power to punish a man for doing wrong on board.

1253. You have the power to punish any man who is doing any act which is likely to cause the destruction of your ship, or damage to your ship, or your crew, or a breach of discipline, or disobedience to lawful commands; I understand you are perfectly willing to use that authority subject to the condition that if you abuse it you are liable to punishment by the courts of the country?—Yes, but different men take a different view of my powers. If I have that power clearly defined, and if I exceed it, of course I am open to punishment, and should be punished.

1254. Can you suggest an Act of Parliament, or a clause in an Act of Parliament, which would define your power more distinctly than those words which I have given you?—No, I could not. For instance, Mr. Paget thought a captain ought not to put a man in irons; I think the

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Attorney General, when it was brought into the House, said that he did not know whether he had a right or not; he was not positive on that point.

1255. I think you misrepresent the Attorney General?—I am not certain; I know he said that he had the power, but it was not clearly defined.

1256. I think that what the Attorney General said is what I have just said to you; that a captain has that common-law power to exercise such authority over his crew as is necessary for the safety of the ship, and those on board?—That may be so.

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1257. May I ask are you an Englishman?—Yes.

1258. You have said that there is a prejudice existing in the public mind against the captains of the mercantile marine in this country?—We have that idea, that there is a prejudice very much against ourselves.

1259 Have you any idea why that prejudice has been formed, why it has come to exist, if it does exist?—Yes, we have an idea that the sailor has been so petted and pampered up, that really he is taken out of his proper position, and placed in judgment over the captain.

1260. Do you not think there is another cause for it?—No, I do not think so.

1261. Has it ever occurred to you that the free use of the revolver and marline-spike, and the rope's-end and the severe rule, has something to do with the prejudice?—There are many thousand captains, and I have never heard of a revolver being used, or a marline-spike; and it speaks well for our profession that not being all educated men, and the power being placed in those captains' hands, there are so few that misconduct themselves.

1262. Has it not been, and is it not now frequently the case that such things are occurring both in our own ships and in foreign ships?—I will not say for foreign ships, but I will answer for our own; I never witnessed, and I never allowed it in my own ship.

1263. Do not the records of our police courts show that this is not really an exceptional state of things, but that there is some of it still going on?—In very isolated cases.

1264. That being the case is it wonderful to you that such prejudices should be formed?—It appears very strange to me that prejudices should be formed like that. The only reason I can give is that it is out of ignorance; landsmen cannot understand a seaman.

1265. Do not you think that they do understand; that it is an exercise of power that ought not to be in any man's hand to use the rope, the marline-spike, the revolver, or the knife?—Certainly; nobody uses it, and I believe that we are not allowed to use it, and that a man that does use it is punishable.

1266. Is is not very salutary that public opinion should be very strong upon that subject?—Certainly; a man that uses it, or exceeds his power or authority, should be punished severely when he comes home.

1267. Do not you think it is very well that captains should have a dread of exercising that sort of authority?—I do not think that a man who would use the revolver or the knife is so alive to his

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his position as captain that a knowledge of the fact that he will be punished will deter him at all.

1268. Can you give me the ground of your idea that the punishment of seamen for desertion or otherwise would have no effect upon them?—You will understand me that I do not wish to do away with the dread of punishment; I speak of captains, and I think a captain ought to know that if he misconducts himself he should be severely punished in the same way as the seaman, only in a far greater ratio.

1269. In answer to the noble Lord, you stated that the tendency of the men generally was to bolt from their agreement?—In many cases they do bolt.

1270. Can you form any reason in your own mind why the men have a tendency to bolt who are employed as seamen, and that the same thing does not occur in other occupations?—Are you speaking now of men first joining the ship, and going down to the port by train, or in foreign ports?

1271. I am speaking of the general tendency not to join the ship after they have agreed to join her; and the tendency to bolt when once they have made an agreement?—As a rule the tendency is with bad men who have got money in advance and do not want to work for it, and when they are in foreign ports especially; it is the love of change on the part of seamen. I know several cases where men have left for no cause whatever. They have asked for a discharge, and I have said, "What are you going to leave for?" and they have replied, "I should like to go ashore," and I have paid these men and let them go.

1272. Then this tendency to bolt, which is so common amongst seamen, I think you have very well defined as being a result of an advance of money to them?—Yes.

1273. Do you think that if there was no advance given there would be this tendency to bolt, either refusing to join the ship, or, after they had gone aboard ship, in that there would be a tendency to bolt at all?—No, I do not; I think that if advance notes were done away with it would be a benefit to all, both owners, captains, and seamen. If the advance note were done away with there would be a strict law to force men to join, and there would be a very heavy punishment for those not joining.

1274. You have had 25 years' experience as a seaman, as I understand you, and as a captain 15 years in charge of a ship; is it not your deliberate opinion after all those years of service and experience of seamen that the advance note is the primary cause of all this tendency to bolt, and want of desire to enter upon their employment after they have agreed?—Yes, I certainly think so.

1275. And that this advance note has an immoral tendency in the minds of the men, and no good tendency on the employer?—Certainly, and so much so that I know some employers will offer a higher rate of wages if the men will not take an advance note. I have often endeavoured to work out the system of the men going to sea without advance notes.

1276. You believe that it is better for the employer or the owner, and better for the seamen, that no advance note be given, and that you would rather, in order to induce them to go to

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sea without advance notes, give them a higher rate of wages?—Yes, I know several firms that do that.

1277. Is it your belief, with all the knowledge that you possess, and you evidently have a very great amount of knowledge, that if those advance notes were abolished it would tend to elevate the character of seamen?—Certainly I do, that combined with the system of apprenticeship being introduced again.

1278. You say that of late years seamen have deteriorated, that is to say, they are not the men that they were when you first joined the service; can you tell us why?—One cause that I attribute it to is the doing away with the apprentice system; another cause is that the best of our seamen were taken in Australia and localised; and another is that there is so much steam that sailors are not required.

1279. Do not you think that the steam trade has done more to lower the character of British seamen than any other thing during these last 30 years?—Yes, in a certain class it has a tendency that way, but I think that doing away with the apprentice system has been the main cause.

1280. The great primary cause of doing away with the apprenticeship system was the steam trade?—Yes, in a great measure I believe it was.

1281. Do you believe, with your experience, that if the apprenticeship system were re-established we would be likely to have something like the seamen of old?—I hardly think we should have the seamen of old, because you cannot make a seaman out of a steamboat man. The steamers are so much in excess over sailing ships, and more so every day, that a seaman must deteriorate in time; he will not have the practice as a sailor. You can only really make a seaman in a sailing ship.

1282. You have said that you would restrict the right of seamen to complain, but supposing that we had the condition that you yourself stated of all the seamen drunk and but one man sober, and if that seaman alone was to see that the ship was unseaworthy, would you say that that man who could see that his life was in danger would not have a right to complain?—He might have a right, but the ship would not go to sea if they were all drunk; the captain would not take them to sea; he could not; it is impossible that that case could ever arise.

1283. What condition would the men be in in the morning after the ship lay off all night at Gravesend that you refer to; would they be in a very happy condition to overhaul the ship, and find whether she was seaworthy or unseaworthy?—If one man saw that the ship was unseaworthy the others would be perfectly sensible and be willing to go along with him.

1284. Do not you think that one man, if he is perfectly satisfied that there is danger within the limits laid down, has a perfect right to complain for his own safety, and that he should have all the protection which the law affords him; to wit, that he should not endanger his life?—I would not put it all on one man; I would have five, or seven, or one-half the crew. If one man is in danger the whole are, and if it was done maliciously, instead of giving them a month's imprisonment they should have a twelvemonth or two years. The man is paid his wages all the

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time he is in prison, but the ship may be detained two or three days, and the loss would be a loss of a hundred pounds. I do not see that it bears fairly upon both, and the seaman again has to pay towards the expenses incurred by the owner. But where is he to get the money from; he has had his advance, and he has spent it.

1285. Is not that the same position as every person who contracts on land as well as going to sea?—I do not understand anything about contracts on land, but I do not see that it is analogous at all.

1286. In answer to the honourable Member for Hull, you said that there was no analogy between an employment on land and an employment at sea: we will take an employment on land. The London and North Western Railway runs continuously with other railways something like 500 miles or more; an engineer gets drunk, and the train is delayed; that train is checked and marked from point to point, and every moment that that train is delayed is a source of danger for the whole of those 500 miles; will you tell me that there is greater risk in a ship going to sea in that way than there is in the position of an engine leaving Easton-square station for Inverness; it is checked and marked upon the private railway bills that every point must be gained at a certain time, or there is certain danger consequent upon the failure to reach that point; every minute lost is danger; is there such danger, and is there such risk, in a ship going to sea?—I fail to see the comparison; they have got the telegraph, and they have got the block system. I do not think that any danger arises from an engineer getting drunk on stopping the engine. If he goes away drunk, then there is danger, but they can stop the train when they find it out; they have got the telegraph system, and he cannot pass the points unless they are out of block.

1287. *Do* you see any reason for any more complaint against the seaman than against the engineer?—Certainly; there is another engineer at hand, and no delay need be caused.

1288. And there is another sailor at hand, is there not?—That is delay; you lose a tide; if you are delayed in Liverpool you are delayed a day, or if you are an hour or two delayed in getting across the Bar there is a 100 *l.* loss incurred.

1289. Can you tell me why there should be no punishment or another ground of security to the shipowner than to the railway company?—Yes, the one suffers loss, the other does not.

1290. The other may suffer loss?—That is only a supposition. Of course, you could put another engineer on the engine, and the fault of that man stops there; but the men stopping away loses the ship a tide.

1291. There may not be an engineer at hand at the time?—Then there ought to be.

1292. The engineer may happen to be an ignorant man?—Then they ought to have a better staff.

1293. And so ought you?—But how can I when I cannot get them.

1294. That is the look-out of the shipowner?—No, I beg your pardon; they are not ready to hand. If you were to keep a supply of sailors on the pier-head, and if a man is not down at a certain hour another could take his place you might do so; but you see what confusion that would involve.

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1295. You have stated that legislation has had a great tendency to injure the men; in what respect?—The seaman has an idea that you have simply to pay him, and he considers himself a kind of martyr, and the captain as a vicious, ferocious, revolver-using, knife-using fellow. One knows the tendency of all that, that a vicious man takes an opportunity, and gets into loose habits and acts with impunity himself, which he would not dare to do otherwise if he knew there was more power in the master's hands. I say invest more power in the master's hands, but if he once commits himself do not give him only a year's suspension, but take his certificate away and punish him criminally.

1296. The honourable and learned Member for Chatham has asked you to define the power; what more power would you have than that which he defined?—I can only say that some learned men read that power differently, and lawyers read that power differently, and how can we poor captains understand it?

1297. Where is it read differently in the law; can you give us a case?—There is the case of the "Locksley Hall."

1298. In that case I think they removed Mr. Paget?—After seven days' imprisonment of the captain.

1299. Mr. Barnes was released and Mr. Paget was removed, if I understand; that is only a single case; have you any other case?—I have more in my memory; I have been trying, but I can only call to mind those two cases in the same court.

1300. You have said that you have known a great many cases of ships being lost in consequence of the crew broaching the cargo?—I did not say I knew them. My idea was, that there are a great many ships that we never hear of, and that that is caused by the crew breaking down into the hold to get spirits, coming across gunpowder and explosives, and setting light to them, and we never hear any more of the ship.

1301. Is not that an assumption?—It is only an idea. A vessel may be taking out a certain quantity of spirits, and a man goes down into the hold with a naked light and by some chance he may set light to some of it that is scattered about. At any rate, he has no business down there, and if he goes down there there is only a slight punishment held over his head. We all know how reckless seamen are, and they ought to have the dread of a heavy punishment hanging over their heads for broaching cargo, for all discipline is gone if they are successful. A thief on board a ship is the worst character that can step aboard.

1302. You have told the Committee that it is only an assumption this broaching cargo as causing the loss of ships?—I cannot call any case to my memory, but I have referred to the case of the "Crownthorpe," and there are several others. I have the case of another of those ships, and this is an extract from the captain's letter: "I am sorry to report some of our crew have broached cargo by unbattening the forehatch, night time; they have stolen beer, sardines, herrings, and cigarettes to the value, as near as I can estimate, of 22 *l.* 15 *s.* As soon as I found this out I at once ordered a search to be made, and by this and other means managed to discover the guilty ones.

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ones. Upon arriving in port the police arrested seven of them, I having taken out warrants while the ship was outside, and at 11 o'clock the same day they were tried and sentenced to 12 weeks in gaol, with hard labour, and each man to pay 3 *l.* 5 *s.* towards the damage done." There are daily cases; even in the best-conducted ships, however careful you may be, the cargo is broached more than once.

1303. But, on those assumptions, is it common for the country to make stringent laws for cases such as those which you have given?—But those are of daily occurrence; there is hardly a case of a ship but what there is broaching cargo more than once.

1304. To come back again to the matter of the loss of ships, you stated that there was a considerable loss of ships, as I understood you, in answer to the noble Lord, through the broaching of cargo?—Yes, that was my belief, and it is my belief still.

1305. Have you any ground for that belief?—Only this, that so many ships that have had powder on board have never been heard of since.

1306. Would this be a wrong belief, that more ships are lost through the drunkenness of the captain than through the broaching of cargo?—Certainly that would be a wrong belief, in my experience. I think that captains are very much maligned on that point.

1307. You say that the course of a seaman now is, that he does not intend or continue to serve with the same captain; is it your experience, after treating the men kindly, that they do not wish to go with you upon another voyage?—It is the rule that they will not go again. But the fact is, they spend their money too quickly. They will have 20 *l.* or 25 *l.* to take, and in a fortnight it will be all gone. Then their ship will not go for another fortnight or a month. The system is that we cannot employ our men on shore; we cannot give them work, and they cannot steal, and the money would go. Those who hang out are saving their wages in order to go back to the same ship, and I have had many men do that.

1308. There are some good men amongst seamen, are there not?—Yes, a great many, I am glad to say.

1309. What percentage would you say were good?—That is a very difficult question to answer.

1310. From your own experience, what would you say?—I have been very fortunate, as I said before. I should say that what I call really quiet, thoroughly good seamen, sober men, not given to broaching or drink, might be about one-half. Giving them the benefit of the doubt, I would say about 45 per cent. That is my own experience. In other cases, from what I have seen, I should say one out of 10.

1311. If such men know that they have got a good ship, and feel proud in knowing that she is a safe boat in a storm, do not they feel a desire to go back and take another voyage in that ship?—Frequently, if she goes a voyage that they like; especially those good men you speak of. One prefers the Melbourne trade, and another the Calcutta trade; it is just according to what they prefer. If a man prefers a Calcutta trade he will not go to Melbourne.

1312. If the men were not to receive those advances, do you think they would spend the money so recklessly as they do?—I would not hazard an opinion upon that. I am much against the advance note, but whether the mere fact of his receiving no advance note before he sails will make him spend his money or save it after he returns; I cannot say.

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1313. Not if he knew that he would get nothing?—If he knew that he would get no advance that would have a tendency to make him husband his means.

1314. It would have a tendency to make him careful and preserve his money?—Yes, because he would know that he would have to go without clothes or not go at all.

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1315. When are the men, as a rule, arrested for not joining; are they arrested before or after sailing?—Always after the ship has sailed; the owner generally prosecutes them.

1316. Your owners, I think you say, are not in the habit of putting this law into operation?—No, there is too much trouble attached to it.

1317. Then with your owners that law is a dead letter?—Yes, and with a great many more.

1318. The law of arrest without a warrant, so far as your owners are concerned, is a dead letter?—In a measure it is.

1319. In the event of the law of arrest without warrant being repealed, do you think you would find any difficulty in getting seamen to join their ships?—Yes, I think we should have more difficulty, because it hangs over the heads of several men. If those men were tipsy in a public-house and a man went to them and said, "Come aboard," and they knew that they were not liable to be punished if they did not come aboard, they would not come on board; but knowing that there is a punishment hanging over them they do come on board.

1320. Is it not the fact that they generally seek employment when they find their funds gone?—Yes, as a rule that is so.

1321. Thus in the absence of funds, whether there be a law to arrest him without warrant or not, the man must join some ship?—He must join a ship certainly, but not that very ship which is waiting for him which he has entered into an agreement with.

1322. In your experience have you found much difference between married and unmarried men; have you found married men the better class of seamen?—Yes, as a rule, I have; I always like if I can to ship married men.

1323. Do you find that married men always join their ship?—Yes, as a rule.

1324. But in the case of unmarried men, is not one chief reason for their spending all their money and finding their way on board ship at the last moment, that they have no settled home, and are what one may call cosmopolitans?—Yes.

1325. Hence, it matters not whether you have this law of arrest without warrant or any other law, that description of sailor will always be found joining his ship at the last moment?—Always.

1326. Hence then, I think, in your opinion, and from the practice of your owners, there would be no hardship towards shipowners in abolishing this law of arrest without warrant?—Yes, I think there would be hardship, because it would take away the dread of punishment. For instance, when a man is half tipsy the threat that will be over his head that if he does not go he will

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Mr. *Gourley*—continued.

will be arrested there and then, has some influence.

1327. Do you think that any threat or anything else has influence over a man when he is drunk?—Yes; I hold the theory that he knows perfectly well what you tell him when he is drunk, and when he is only half drunk I am sure he does.

1328. You are against the system of advance notes; do not you think that a sailor has just as much right to borrow money as you or I?—Certainly.

1329. If you make a law preventing him from borrowing money from the owner or anybody else you are thereby interfering, are you not, with the freedom of contract?—But as it is, if the sailor is to be legislated for, and is to be nursed, and he is not a fit man to take charge of money, he is a very different character to the people on shore. If you want to take temptations from him, I think the advance note is one of those temptations that I would take from him; I do not wish to force it.

1330. If you prevented the giving of advance notes by law, you would be again carrying out the principle of nursing the sailor?—I think it would be a very good way of taking temptation out of his reach; and I think it would be better for him, and for the owners, and for the captain also.

1331. You will exclude married men from that category, but in the case of a cosmopolitan sailor, having money in his pocket, there is a certainty that he would not rest till he had spent that money in the public-house, or some other way?—As a rule, if they were all married men, they would not act in such a way, for it is no benefit to them. I do not see any benefit in the way they do it: of course, I do not want to deprive them of any benefit, or act tyrannically, but I do not see the benefit of their having this advance money.

1332. You said that the crimps had an interest in getting a sailor on board his ship; when a sailor refuses to join a ship, you never find, do you, an owner assisting the crimp to prosecute the sailor, in order to enable the crimp to get his money?—No, I never heard of such a thing. Speaking from memory, my former owners used always to have a rule, that men not joining when ordered off should be prosecuted, and they used to prosecute them. I know the National Company in Liverpool did so.

1333. When you employ men, you prefer having them through the instrumentality of these seamen's homes?—Yes, that is one of my inquiries when a man comes to join my ship. I ask him where he lives, and if he tells me at the seaman's home I am satisfied.

1334. Do you think that the seamen's home has had any influence in improving the condition and character of seamen?—It has had this influence in stopping their deterioration. I do not see them much improved, but I think it has been a great benefit to seamen in that respect.

1335. Do you think it would be a benefit to seamen if the Government were to establish seamen's homes in all our leading seaports?—Yes. If they only did away with all the crimps and lodging-houses, they would do an immense deal of good; much more than any legislation would do.

1336. Do you think, as a rule, that seamen are in the habit of broaching cargo?—Yes, whenever they can get a chance; as a rule, they will often get a chance.

1337. Is not this the fact, that a great deal of cargo is broached by the stevedores whilst being loaded in docks?—They always have an officer watching the hold, but they do steal, certainly.

1338. Is it not the fact that the delinquencies of the stevedores at home and the stevedores abroad are always charged to the seamen?—It is generally the rule; abroad we have it so.

1339. Then with respect to the question of broaching cargo, the seaman is made out to be worse than he is?—Yes; certainly a great deal of that is done, I believe; I think they would take more precautions if the stevedores themselves were a better class of men; but that they do carry it on, I confess is my belief.

Mr. *Bates.*

1340. You said you would like to have advance notes done away with?—Yes, that is my individual opinion.

1341. Do you give advance notes?—I have done, but I am trying to get away without.

1342. On your last voyage did you give advance notes?—Yes, always.

1343. Do your owners generally give advance notes?—Yes, as a rule, always.

1344. How would you do away with them; what would you substitute in lieu of them?—I have an idea that the only way would be for the Government to have Government stores with clothes sufficient to supply the men for a short time. It must be proved that they are improvident men, and the amount should be deducted from their wages.

1345. I think you said something to the effect that if advance notes were done away with it would stop drunkenness?—On joining the ship I think so.

1346. What do you say as to the wages inwards; if a man spends all his inward wages and is in debt to his lodging-house keeper and pawns his kit, how is he to get his clothes unless he has an advance note?—He must have an advance note, of course.

1347. Then in the present state of the law you think advance notes are inevitable?—I do; they cannot be done away with as much as it is desired that they should be, unless you establish Government stores to assist men on the passage.

Mr. *Plimsoll.*

1348. It would be quite competent to the owner or the captain of a ship to make advances upon those notes equivalent to what the crimp would have done; like any other employer of labour who, in engaging a servant, would make him an advance of money without using an advance note?—It would be a great risk to the owner, and would not improve the position of the sailor at all.

Chairman.

1349. Do you think that he would make his appearance on board ship?—Certainly not.

Mr. *Bates.*

1350. What would be the consequence if you gave Jack 3 *l.* 10 *s.* in cash?—He would never join.

1351. What would he do with the money?—He would get drunk and lose it all.

Mr. THOMAS CARGILL FYFE, called in; and Examined.

Mr. *Gorst.*

1352. WILL you tell the Committee what position you hold?—I am a general commission agent and broker at Liverpool.

1353. Have you had considerable experience in connection with proceedings brought before the magistrates against seamen?—Yes, I have had considerable experience.

1354. In your experience who is it that generally puts the sailor in prison when he is imprisoned for not joining his ship?—I have really not studied that particular question, but I believe the crimp is generally the party who does it.

1355. Have you had much experience in cases in which seamen have been imprisoned for neglecting or refusing to proceed to sea?—I have had on several occasions.

1356. Does a seaman generally neglect or does he refuse to go to sea?—He generally neglects, entirely through drunkenness; I believe that is the general cause.

1357. In a case where a man neglects to proceed to sea from drunkenness, is the law usually put in force in Liverpool?—It is on some occasions, but it is frequently neglected. Shipowners do not care to have the trouble, I believe.

1358. Are those men who get drunk and so neglect to go to sea an average specimen of their class, or are they the worst class of seamen?—I think most seamen are addicted to it. I think it is a common practice amongst seamen.

1359. You think that those who get drunk and so do not join their ships are no worse as a class than seamen who do join their ships?—As a class I do not think you can make any distinction. I think they are about all alike when ashore.

1360. I suppose a great many of those men are actually taken on board drunk?—Very frequently; in fact, there is scarcely a vessel, I believe, leaves Liverpool but most of the men go on board quite drunk.

1361. Do they go on board or are they taken on board?—They are taken on board generally by the boarding-house keepers; the people whom they lodge with.

1362. I suppose the lodging-houses are not the most respectable lodging-houses in Liverpool?—Some of them are, I believe, very respectable; others are quite the reverse.

1363. Just let me ask you a question about that: are the lodging-houses where the men get drunk as respectable as the ordinary class of lodging-houses, or the reverse?—I think it is done by the men in almost every description of seamen's lodging-house in Liverpool.

1364. So that the people who take them on board ship are generally people interested in their advance notes?—Generally so.

1365. Do you know at all how they are got on board; is it by force, or by persuasion?—Principally by persuasion. The lodging-house keepers generally make them drunk, keep them drunk, and take them on board drunk.

1366. Perhaps getting a man drunk is a convenient way of getting him on board?—I have no doubt it is.

1367. Do you think, as a matter of opinion, that if the law which enables a man to be imprisoned for neglecting or refusing to proceed to sea were abolished, there would be any difficulty in getting crews; practically could ships get their crews?—No, I cannot think there would.

Mr. *Gorst*—continued.

1368. Do you think that if the law which enables a man to be imprisoned were abolished, the crimps would be so ready to cash advance notes?—I do not think they would, in any instance, cash them; I decidedly think not.

1369. Then, in your opinion, if the law which enables a man to be imprisoned were abolished, would the advance note follow?—I think the law which enables a man to be imprisoned should be abolished.

1370. Would the advance note abolish itself in consequence of the abolition of the law of imprisonments, do you think?—I think so; I think that would cure itself.

1371. Do you think that the abolition, or self-destruction of the advance note, would be a good thing for the seamen as a class?—I think so, most decidedly, and also for the shipowners as well as captains.

1372. How is the money which is obtained as cash for the advance note usually spent?—I think in nearly every case it gets into the party's hands who cashes the note.

1373. What does the seamen get for his advance note actually?—It frequently goes to pay his lodging, and to furnish him with clothes. Those things are generally arranged, I believe, by the lodging-house keepers; they have these poor fellows entirely in their hands; I believe the advance-note system is at the bottom of the whole mischief.

1374. Do the seamen in Liverpool ever have to find their own provisions when they go to sea?—I have never heard of it; those are always found by the ship; I have never heard of any case in Liverpool where it is so.

1375. Do you say that occasionally, though less commonly, the men refuse to proceed to sea and fulfil their engagements?—They do through drunkenness; I believe that drunkenness is generally the cause of it.

1376. You thought that it was generally neglect caused by drunkenness; do you know of any cases where seamen have refused to go to sea?—I have known them refuse to go to sea because the ship has been unseaworthy.

1377. I suppose when they refuse upon that ground they can have a survey?—They can demand a survey.

1378. Have you known any cases of seamen refusing to go to sea because of unseaworthiness since the passing of the last Merchant Shipping Act, which came into force in 1876?—I forget dates as to the case of the "Sultan." The "Wild Rose" was another case.

1379. I do not want merely cases of unseaworthiness, but can you give the Committee any instances of seamen being improperly or harshly imprisoned subsequent to the passing of the last Merchant Shipping Act, that is to say subsequent to October 1876?—I find that 1875 was the last case that came particularly under my notice, the case of the "Wild Rose," which was a most cruel case.

1380. Where was that at?—At Liverpool.

1381. That was a case where the ship returned

Mr. *Fyfe.*

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Mr. *Fyfe.*

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Mr. *Gorst*—continued.

to Liverpool in a leaky condition, was it not?—Yes, that was the case.

1382. Were the crew sent to prison?—The crew were sent to prison at Chester Castle for refusing to proceed to sea.

1383. Was the ship surveyed?—The sailors demanded a survey.

1384. The law has been amended since that time, and therefore it is, perhaps, fair to ask if there is any instance in which seamen have been harshly or improperly imprisoned for refusing to proceed to sea since the passing of the last Act?—I do not know of any particular case that I can remember now since the Act of 1876.

1385. We heard the last witness say that the magistrates were rather unfair to captains of ships; is that your experience. Is it your experience in Liverpool that the magistrates have any undue prejudice against the captains of ships?—No, a very strong prejudice indeed against the seamen; that has been my experience in nearly every case that I have listened to.

1386. In favour of the masters of ships?—I cannot say particularly in favour of the masters of ships; but more especially in favour of the owners of ships. The law is not at all fairly administered to seamen.

1387. You do not think that the seamen who are brought before the courts in Liverpool are treated with undue leniency?—They are not at all properly treated in my opinion, and I have listened to a great many cases.

1388. In what way are they improperly treated?—There is a strong leaning on the part of the magistrates generally quite against the seamen.

1389. Do you consider that that operates in the shape of unjust convictions or in over severe punishments; do you think a man is convicted wrongfully, not so much we will say for neglect of duty or disobedience of orders, but do you think he is ever convicted when he is innocent of the offence charged against him?—I do so, most decidedly. The case of the "Sultan" was a most glaring case.

1390. I understand you then to say that you think that the prejudice of the courts in Liverpool is such that seamen are convicted when in fact they are innocent?—I do think so.

1391. Do you also think that after conviction the sentences which are passed upon them are sentences of undue severity?—In many cases they are.

1392. Have you studied this Bill?—I have not gone completely through it. I have revised it up to the 19th clause.

1393. As to the 2nd clause, I suppose a man who had absconded with wages might abscond under circumstances which would make it an offence which would amount to felony and larceny, might he not?—Yes, I should say so.

1394. I suppose if he did abscond in such a fashion as that he ought to be punished?—Yes.

1395. And he would be so under the ordinary law?—Yes, and quite properly so.

1396. In your opinion ought seamen to be criminally punished for a mere neglect to fulfil a contract?—I do not think they should at all.

1397. Have you any observation which you would like to make upon any of the other clauses of the Bill?—I have made some observations on that paper which you have in your hand. I have carefully gone over each clause, and made those observations. I am sorry that I have not had time sufficiently to go over the other clauses in the same manner.

Mr. *Gorst*—continued.

Mr. *Torr.*

1398. Did I understand you to say that sailors are generally sent to prison by crimps?—I have not any special knowledge upon that particular point, but I believe that it is most generally so.

1399. I think your answer was that sailors were generally sent to prison by crimps?—I believe it is generally so. The crimps generally cash their notes; they have the power to act upon them, and they generally act upon their power because they do not like to lose their money.

1400. But you would say then that it is not the shipowner that usually sends the sailor to prison, but the crimp?—I believe that the shipowner in reality has to give his consent to it.

1401. Your answer was very direct and prompt when you were asked a question by the honourable and learned Member; you said that the crimps usually send the sailor to prison; do you repeat that now?—The crimp is the only party who is taking action in the matter.

1402. On behalf of the master or on behalf of the shipowner?—Really on behalf of himself because he has cashed the note, and he would be the loser if the man did not proceed to sea.

1403. Is it the shipowner that moves the crimp to do that, or is it the crimp that moves the merchant?—I daresay it really will be the crimp who will move the shipowner or the party in authority who has the power to send the sailor to prison.

1404. Do you know at all the proportion of sailors who neglect to go on board and those that are sent to prison?—I have not studied the number or particularly read any account of it.

1405. Were you in the room when Mr. Williamson gave evidence last week?—I was in the room part of the time.

1406. He said that as a class sailors were all pretty much alike; do you agree with him?—I think they are all pretty much alike.

1407. The most drunken and the most sober are the same style of men?—I have seen both sober and drunken, but I think that drunkenness is their great bane when ashore.

1408. Does drunkenness affect all the class alike?—There are certainly some exceptions amongst them; I have known some seamen perfectly sober steady men.

1409. Still again you answer me so promptly that sailors as a class are all alike, and there is no difference between drunken and sober?—I ought to have said that the larger proportion of them are so, but there are exceptions.

1410. You have again said, I think, that the lodging-house keepers make sailors drunk and kept them drunk so as to get them on board in a drunken state?—Yes. If you will allow me I will instance one particular case that I now distinctly remember, in January 1876; it was that of the "Maria," a vessel that lay in the stream for some time at Liverpool; three crews refused to go in that vessel because of her unseaworthiness. There were three different crews that were put on board her and they left; the last crew was

Mr. *Torr*—continued.

was kept on board in a state of drunkenness the whole time in order to get that vessel to sea.

1411. Do you know that from your own personal knowledge?—I know that, as a positive fact from the river police; I took very great interest in the matter at the time, and I communicated the facts then to Mr. Plimsoll.

1412. What action was taken against those men?—The poor fellows, I expect, were taken to sea ultimately in a state of perfect drunkenness to get the ship away.

1413. That is your belief?—I am certain of it.

1414. Were you on board; or how do you know anything about it?—I learnt it from the river police; and from the head of the river police; I watched this case most particularly. She was a German vessel, I believe.

Chairman.

1415. Did you communicate the facts to the magistrates?—I communicated the facts to Mr. Plimsoll.

1416. What steps were taken in this case?—This was rather an exceptional case, inasmuch as she was a German vessel. I called upon the German consul upon the matter, but he received me very rudely indeed; in fact, I was almost insulted.

1417. What proceedings were taken against the shipowner for sending that ship to sea in such a state?—I never heard of any proceedings being taken; the vessel was got away.

1418. Did you say you informed the magistrates of it and they took no notice?—I did not inform the magistrates.

Earl of *Eslington.*

1419. You said that she was a German vessel; was she owned by Germans?—I believe so, but there were a number of English sailors on board of her.

Mr. *Torr.*

1420. Do you deliberately state that she had three distinct crews sent on board, and each crew in a state of drunkenness?—Each crew in a state of drunkenness; and that the last crew were kept in a state of drunkenness on board in order to get the ship away.

1421. And she went away with every man on board drunk?—She went to sea with those men drunk; I believe the pilot who took the vessel to sea will be able to prove it.

1422. Who supplied those three crews to the vessel; were they supplied through the shipping office, or how?—The drink was really supplied to those men on board the vessel by the captain of the vessel, in order to get her away.

1423. You say that three distinct crews went on board that ship one after the other, and that the last crew was kept in a state of drunkenness until she went; I want to know who shipped those three distinct crews of drunken men?—That I cannot tell you.

1424. How do you know, from your personal knowledge, that they were three distinct crews?—I know it from the inquiries which I then made.

1425. You stated this in answer to a former question, and you displayed no hesitation in your answer; but as you are giving your evidence, I presume it is your evidence, and not hearsay?—Yes; I considered that it was an important case.

Chairman.

1426. From what quarter did you get the evidence?—I got it partly at the Sailors' Home, and from the superintendent of the river police, and also from the men employed as policemen on board the boats that go on board those vessels.

1427. Can you state the name of the pilot who you say can give us information?—The name of the pilot could very easily be ascertained.

Mr. *Charles Wilson.*

1428. What is the name of the German consul?—I cannot remember his name, but I consider that it was a very bad case.

Chairman.

1429. It has been kept perfectly quiet; I believe no notice has been taken of it?—I did everything in my power.

1430. What was it that you did?—I advised Mr. Plimsoll of it, and called upon the German consul on the matter.

1431. What did the German consul say?—He behaved to me very rudely; he almost ordered me out of his office, and denounced Mr. Plimsoll's name and conduct.

1432. That is the end of all the proceedings that have been taken upon this extraordinary and most gross case that you mentioned to Mr. Plimsoll; you went to the German consul and were insulted by him, but no notice of any kind has been taken, to your knowledge, of this proceeding?—Having communicated all the facts at the time when they occurred to Mr. Plimsoll, I left the matter in his hands for further action; I considered I had done my duty; the ship got away and was never detained, to my knowledge.

1433. Had the ship no owner or agent, or anybody connected with her in Liverpool?—I rather think the German consul had something to do with her, but I am not aware that he was the owner.

Mr. *Torr.*

1434. You said, did you not, that you got part of your information from the Sailors' Home?—I did.

1435. Who gave it you in the Sailors' Home; was it the shipping master or the superintendent?—A man of the name of Jenkins, a man who attends to the seamen; I believe he will be able to confirm those facts; I think it is a very serious case, and it came specially under my most particular notice.

Lord *Eslington.*

1436. Did you make any effort to communicate with the owners of this vessel; did you find out, first of all, who the owners were?—It would be no earthly use complaining to the owners or brokers in such a case, none whatever; it would be worse than useless.

1437. Why?—Because there is no notice taken of it by an owner.

Chairman.

1438. Do you say that no notice is ever taken?—None whatever.

Mr. *Torr.*

1439. Any one would suppose from your evidence that it is a case of constant occurrence?—I am sorry to say that my difficulty has been

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Mr. *Torr*—continued.

been even with the servants of the Board of Trade to get their attention brought to such cases. I have experienced very great difficulty.

Chairman.

1440. Can you mention any case in which you experienced any difficulty?—I experienced very great difficuly, particularly in the case of the "Wild Rose" in 1875.

Mr. *Torr.*

1441. What became of this vessel the "Maria," did she ever reach her destination?—I have not head anything further of her.

1442. Do you know where she was bound to?—I really cannot tell you now. I cannot remember.

1443. What was it that led you to pay particular attention to this vessel?—My attention was first called to it by some of the river police. I believe one of the river police came to my office and gave me information. I inquired most particularly into it, and reported everything as it occurred to Mr. Plimsoll; my letters to Mr. Plimsoll would give you full details that I am not now able to remember.

1444. Did you give the name of the river policeman who gave you this information?—No, I did not.

1445. Did not it strike you that being a very grave case every particular ought to have remained in your memory, or to have been noted down?—My communications with Mr. Plimsoll at the time will clearly show that I considered it a most grave case.

1446. Did you send to Mr. Plimsoll any names of parties who would supply him with the real *bonâ fide* facts of the case independently of yourself, that he might trace it out?—I was really in some difficulty myself to know how to proceed, because the vessel was under the German flag. I did everything in my power, and it was no use at all.

1447. Then you seem to have confined those efforts to yourself, or did you take any note of the parties who ought to have been held responsible for this state of things?—It would remain really with the German consul. He declined all interference in the matter, and I felt a delicacy in pursuing the thing any further, finding his persistency and uncouth conduct towards me in the matter.

1448. But the statements you now make evidently at the time impressed you that it was a most grave and most cruel case altogether from beginning to end, and yet you seem to have dropped all responsibility; you merely made those inquiries, and then, if you had this feeling with regard to the case, one would naturally suppose that the thing went further, and you would have brought it home to the parties who were guilty of such misconduct?—If you will allow me now to refer to my letter-book, I am under the impression that I also communicated the facts to the Board of Trade, but I would rather refer to my letter-book to be sure of that. I did everything in my power to help Mr. Plimsoll to move in that case, but like other most important cases that would have done honour to his cause (had my information and assistance been acted upon), it also appeared to have been unaccountably neglected, and notwithstanding my constant exertions to keep

Mr. *Torr*—continued.

him advised of bad cases, as specially requested by him to do, as my voluminous correspondence with him will show if required to be produced.

Mr. *Gorst.*

1449. Is it your impression that you did write to the Board of Trade?—I am under the impression that I communicated with the Board of Trade.

Mr. *Plimsoll.*

1450. It has been stated before the Committee that advance notes are necessary to enable seamen without clothes to provide themselves with clothes to go to sea; would that difficulty be met, in your opinion, if clothes were kept on board ship?—Certainly.

1451. That is the practise with several shipowners, to keep clothes on board, is it not?—There is what is called the slop chest generally put on board vessels, but clothes are not taken in any such quantity as would really be sufficient under the law in that respect as it now stands.

1452. The advance notes appear to be used more as a means of securing imprisonment; they seem to be chiefly used, so far as Liverpool is concerned, by crimps to enable them to recover the money that they have advanced on the advance notes; is not that so?—Yes; that is so.

1453. The shipowner's position in relation to the matter is that when he issues an advance note he places the crimp under recognizances to the extent of the amount that he advanced to have this man forthcoming at the time?—I believe that generally arrangements are made by the overlookers of the owners of vessels with those lodging-house keepers to find crews and to bring the crews on board their ships.

1454. A suggestion has been made before this Committee that these lodging-houses should be licensed; do you think it would be a good plan to keep them under the control of the magistrates?—I think it certainly would be a very good plan.

1455. And that all the reasons which are alleged for the licensing of public houses, that is to say, on the ground of public morality, public safety, and good order, apply with equal or even greater force to the licensing of those places?—I think so, decidedly.

1456. And that the magistrates, having the power to grant or refuse licenses to those houses, would be able to drive out of the business all the thoroughly bad ones, and have a powerful check upon the good ones?—If there was a law to put that power in motion thoroughly with that object in view, I consider that it would do an immense deal of good.

1457. A good deal of astonishment appears to have been felt by the Committee at the statements which you have made with relation to the "Maria," but that case is not extraordinary, is it, except in the fact that there were three crews one after another; it is not at all an uncommon thing, is it, for men to be taken on board in a state of intoxication before a vessel goes to sea?—It is quite a common practise in Liverpool to take crews on board in a state of perfect intoxication.

1458. Do not you think it would be reasonable in such a case that the ship should be compelled

to

Mr. *Plimsoll*—continued.

to lie in the river until there has been time for the men to recover?—Yes; I consider that such vessels should lie in the river 24 hours at least until the men get sober.

1459. If a disaster occurred to the ship, you would think the responsibility was not with the men but with the captain who took them to sea, knowing they were drunk?—I consider that the captain would be more to blame than the sailors under those circumstances.

Mr. Charles Wilson.

1460. You have brought a charge against the Liverpool magistrates, and you say you have listened to a great many cases in the police courts with great interest; may I ask what reasons you had for watching those cases?—I have taken a very great interest in seamen for many years. This book which I hold in my hand is entirely connected with sailors' grievances.

1461. Is it entirely a philanthropic interest?—Entirely so.

1462. No pecuniary interest?—None whatever.

1463. You were asked a question whether the sailors in Liverpool found themselves with provisions, and you said, No?—I believe it is not the general course of doing business in Liverpool. I have never known a case myself; it has never come under my notice.

1464. Are you not aware that in the short trades the seamen are paid weekly wages, and find themselves?—No, I have not that knowledge.

1465. How is it that you profess to have this knowledge of seamen when you are not aware of this most common fact?—I am not aware that it is a common fact, I assure you.

1466. How is it that you profess to have such a knowledge of seamen?—I have worked hard enough at it since 1873, from the time when Mr. Plimsoll came down.

1467. And you are not aware that in all the short continental trades and coasting trades the seamen are all on weekly wages, and find their own provisions?—It is not so in Liverpool.

1468. But are they, do you know?—I have never heard of it.

1469. That is merely your want of knowledge, I suppose; but I can state as a fact that they are?—That has never come under my knowledge as a fact.

1470. Do you know whether yachts' crews are employed there on weekly wages, and find their own provisions?—I am not aware of that; yachts' crews are generally well cared for.

1471. Have you any knowledge about seamen at all, or is all this merely a philanthropic interest in sailors; have you been to sea at all?—I have gone short voyages, and I have been a great deal amongst sailors.

1472. You are bringing very sweeping charges against the magistrates, but apparently you have very little real practical knowledge on the subject?—I consider I have a very considerable knowledge; I have studied it very much, and a good many cases have come under my notice where I have really fought very hard for sailors to see justice done to them.

1473. Here is one notorious fact which you seem to be totally ignorant of?—I do not consider it of any importance myself at all.

Mr. *Charles Wilson*—continued.

1474. It is only to show that you have a superficial knowledge of the subject?—I cannot agree with that, I am sorry to say, because that is a matter which really does not affect their interest in any way.

1475. You have said that nearly all sailors got drunk, and that drunkenness was almost universal amongst them?—I am sorry to say that it is the general practice amongst sailors.

1476. You were asked whether if the law of imprisonment was done away with there would be any difficulty in getting men to sea; do you remember what your answer was?—I do not think there would be.

1477. You said positively you could not think that there would be any difficulty?—I do not think there would.

1478. You had been previously telling us that there was this difficulty, and you have been telling us just now that there is this difficulty of crews going on board drunk; how would doing away with the law of imprisonment prevent men being drunk?—Doing away with the law of imprisonment would have the effect of getting a better class of men into the mercantile service.

1479. Why?—Because I believe that a better class of men would flock to the service.

1480. But why are they imprisoned; you have told us that the reason of that is drunkenness?—In some cases.

1481. Would not the doing away with imprisonment tend very much to increase drunkenness?—I do not think so.

1482. How is it that landsmen are imprisoned for drunkenness?—Men will get drunk, and I suppose they deserve to be imprisoned.

1483. How would doing away with imprisonment lessen the evil of drunkenness; have you any foundation whatever for saying it would, except this philanthropic feeling?—Simply from the fact that a better class of men would in the course of time find their way into the service, and so, I believe, the service generally would be greatly improved.

1484. Is there any foundation for that belief from experience on shore; is drunkenness decreasing on shore?—I cannot say so; I am sadly afraid it is not.

1485. How is it likely to decrease among seamen by doing away with imprisonment for drunkenness, which is the great evil which we have to deal with, and I quite admit with you that it is the great evil, but how would doing away with imprisonment as you state decrease it?—Amongst sailors it will decrease it certainly in a very little time, as better men get really afloat.

1486. Would you recommend the law of imprisonment for drunkenness to be done away with for landsmen too?—I should certainly punish a sailor just the same as I would a landsman, but I should not make his punishment any more severe, certainly not.

1487. What is a crimp?—There are various classes. I have met, in the course of my endeavours in protecting sailors, even with a solicitor a crimp; and that is going a long way, I admit. I am not afraid to give you the name, if it is desired.

Mr. *Fyfe.*

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Chairman.

1488. What makes him a crimp, whether he is a solicitor or a tailor, what particularly makes him a crimp?—A crimp, I consider, is a man who really directly or indirectly hangs about sailors and robs them of their money.

Mr. *Torr.*

1489. Then a crimp is a man who hangs about sailors and robs them of their money, and cashes their advance notes?—Yes.

1490. And finds them with lodging and clothes; is the boarding-house keeper a crimp?—I place him in the same category.

1491. It is a word very commonly used; I never understood yet what it meant quite; I never saw a crimp that I know of, have you?—That was my reason for illustrating this case of a man who professed to be a solicitor.

1492. I have heard them talked about, and that they are a peculiar class of people; I want to see what they are, and to have a tangible idea?—In the case that I speak of, this man had written to the owners of the vessel some distance off, I believe at Dundee, for the men's wages, and obtained their wages, and he retained the money in his own hands, and would not pay them.

1493. Then a crimp really is a thief?—Really a thief.

1494. How is it that he does not come under the punishment of a thief?—In this instance I pursued the case, and he was punished.

1495. You propose to get over that difficulty by registering the lodging-houses?—I should have them licensed, I think, just as a public-house.

1496. Would you do away with the advance note, too?—Certainly I should.

1497. Then you think these people that prey upon sailors would not be able to exist?—I think that would get rid of those characters, because none of those characters would really advance money to sailors.

1498. And that you think would be for the benefit of the sailors and the owners of sailors?—I think it would be for the benefit of all concerned, unmistakeably so.

Lord *Eslington.*

1499. You took a great deal of pains to ascertain the facts of the "Maria;" did you ascertain whether the captain was a German or an Englishman?—No, I did not ascertain that fact, I believe, at the time.

1500. Was not that a very important fact to ascertain?—I did not consider it so.

Chairman.

1501. Can you give the Committee the name of any agent connected with the ship at Liverpool?—I could very easily ascertain on referring to any Liverpool shipping paper at the time. I saw the vessel lying in the river for some weeks, and I believe through the drunkenness on board she got away from her anchors, and drifted some distance up the river.

Mr. *Torr.*

1502. Was she a steamer or a sailing vessel?—A sailing vessel. I believe she was a barque.

Mr. *Corry.*

1503. Have you ever made a voyage in the forecastle of a ship?—No, I never made a voyage in a forecastle, but I have been in a great many forecastles.

1504. How did you come to take such a great interest in the condition of the seamen?—Because of the grievances imposed upon them.

1505. By whom?—By the captains and also by the owners of vessels.

1506. Will you state some of the grievances?—I will illustrate one most particularly in the case of the "Roebuck" in 1873. That vessel arrived in Liverpool in July of 1873, in a most unseaworthy condition, with the whole of her sailors and a passenger on board in a state of starvation, caused in a great measure by the drunken conduct of the captain, and through the badness of the provisions on board the vessel. In that case when the men came on shore they were really starving. The poor fellows took their wages notes that were given to them, from which the most wrongful deductions were made, in fact fraudulent deductions, and so signed clear of the ship. In order to show that the seamen were not properly protected against wrong I caused an action to be brought in the police court simply to show up the case in illustration thereof, and because the men had signed clear of the ship the matter fell through. In the case of the chief officer, he received a wages note showing a balance of 3 *l.* odd to his credit for a two years' voyage, and in that case I also caused an action to be brought in the local Admiralty Court by my own solicitor, and in that court there was perfect justice. We went before Mr. Collier, the judge of the county court, and we got a verdict for the chief officer, which in the aggregate, I believe, amounted to within a trifle of 150 *l.*, instead of the 3 *l.* which was offered to be paid to him, and that verdict included 1 *s.* per day for the periods of time whilst the chairman of the Local Marine Board's bad beef was served up to Mr. Shepherd, the chief officer, who brought the action.

1507. Where did the ship arrive from?—She arrived from Buenos Ayres, and some of the beef that was on board this vessel came back in the ship, and some of it was sold from the quay side. Mr. Plimsoll was kind enough on that occasion to send his solicitor to Liverpool to prosecute this captain, and he was brought up before the Local Marine Board. I attended myself to assist Mr. Plimsoll's solicitor in the case, and we were put out of court on the question of the badness of the provisions. The chairman who sat on that occasion said that he considered that we could not sustain the charge of badness and shortness of provisions; but afterwards in the case of Shepherd, the chief officer, against the captain of the ship, and some other cases that followed, we discovered that the chairman of the Local Marine Board had put that beef on board that was so much complained of.

Mr. *Plimsoll.*

1508. And he decided that it was good?—It was sold as good and proper beef, and as such was put on board. The captain (Captain Gordon) condemned the first cask, which was opened going down channel, three days after the vessel sailed from Liverpool, and finding it bad he ordered all the rest of the beef as well as all the pork to be brought

Mr. *Plimsoll*—continued.

brought on deck, and every cask was opened and marked according to its condition, viz.: "First use" and "Second use." Captain Gordon, as well as the first and second officers, assured me that all the beef was really unfit for human food. The owner afterwards joined the vessel on the coast of Patagonia, where it is alleged he deserted Captain Gordon, and shipped another captain. Gordon, after he returned to England, took me to the store where this beef and pork had been put on board from, and I discovered that the gentleman, Mr. Shalcross, who had sat in judgment as chairman of the Liverpool Local Marine Board, when Mr. Plimsoll's solicitor, Mr. Hooker, prosecuted in the case of Captain Black (who returned in the vessel to Liverpool) for drunkenness, and badness, and shortness of the provisions, was senior partner in the firm of Shalcross and Higham, who put that bad beef on board the "Roebuck," in 1871; and I believe he still presides as chairman of that Board.

1509. Who was the chairman of the Local Marine Board?—Mr. Shalcross. I brought that matter specially before the Board of Trade; I considered it was really a matter that ought to have been inquired into by the Board of Trade, and I consider that it was a most disgraceful business.

Chairman.

1510. And they refused to inquire into it, did they?—The matter fell through. I have heard nothing further of it. I forced the case upon them upon several occasions, and on every occasion it has fallen through. I am quite prepared to produce my correspondence upon the whole matter.

Mr. *Corry.*

1511. Are you aware that sailors have a perfect remedy against the owners and captain of a ship when they arrive in Liverpool if the provisions have been bad, and if they have been improperly treated?—In the case of "Shepherd" against the captain, he got compensation for the badness of the beef on board the vessel. That beef was supplied and put on board the vessel by the gentleman who is sitting on the Local Marine Board as Chairman, and is a partner in the firm; I have got a letter now in my possession from the firm (after a forced correspondence) acknowledging that it was put on board by them. I have got documents to show it in my possession now.

1512. Does not that show that the crew and officers had sufficient protection against the owners for either insufficient provisions or unseaworthiness of the ship?—The sailors of this vessel not being aware of their position, of course let the matter go, or else they were also entitled to compensation; but the poor fellows who arrived in a state of utter starvation were only too glad to get their money to get food. In some cases the bones were protruding through their hands.

1513. Were they English sailors?—All English sailors; some of them Scotchmen. In the case of a passenger on board, he was a personal friend of my own, and that was the reason I took such a great interest in this particular case, and I have followed it up since.

Chairman.

1514. Is there any clause in the Bill before us to which this case which you have mentioned

Chairman—continued.

Mr. *Fyfe.*

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applies?—I have not gone through the whole of the Bill.

1515. Have you not looked at the Bill on which we asked your evidence?—I have not gone through the whole of it; I have got as far as Clause 19, and I have made special notes up to that part of the Bill.

1516. Is there any clause which you have read in the Bill, which the evidence you have just given about the "Roebuck" bears upon?—I think there is, inasmuch as in this case I was very much surprised that there was not mutiny on board the vessel. The manner in which the vessel was provisioned for the voyage might really have been the cause of mutiny on board that vessel.

Mr. *Corry.*

1517. Did you go on board that vessel yourself?—I visited her along with my solicitor, as soon as she arrived in the Birkenhead Dock. I was not satisfied with the passenger's statement, and, unknown to the passenger, I went and took a solicitor with me on board the vessel, and interrogated the chief officer, and some of the sailors, and their statements were such as thoroughly justified me in taking the matter up as I have done.

1518. You think that the abolition of advance notes would altogether improve the character of the seamen?—I think so; we should get a decidedly better class of men. It will take a little time before it will have this effect.

1519. From your great intercourse with seamen, which I presume, from the evidence you have given, you have had, do you find that the seamen are improving at all?—There has no effort really of any consequence been made to improve their position.

1520. Has the recent legislation which has been so much talked about and pressed upon the country not had any tendency to improve seamen?—I do not think so at all. It wants to be completely swept away, something like the Corn Laws, and completely remodelled; that is my opinion.

1521. You have never yourself experienced any difficulty about getting seamen on board your ship?—I am not a shipowner now. I was a shipowner in 1865, when I had a small vessel run down coming into Liverpool by a steamer that ran away and left her in a sinking state, and that particular circumstance brought me in contact with Mr. Plimsoll.

1522. You have never come into contact with the good class of seamen at all, I suppose?—Yes; I have met a great many very excellent sailors from time to time, very excellent, good men; men who are most reliable, but you certainly cannot place many of them upon that footing.

1523. I thought you said, in answer to the honourable and learned Member for Chatham, that they were all alike?—I believe that that is so generally, but there are certainly exceptions; I have met with some very good men amongst them.

1524. You say that the prejudice of the courts in Liverpool seem to be rather against the seamen?—Very much so; I have observed it particularly in the police courts, and in those Board of Trade inquiries.

1525. Presided

Mr. *Fyfe.*

12 March 1878.

Mr. *Corry*—continued.

1525. Presided over by whom?—By the magistrates.

1526. Which class of magistrates, the paid magistrates, or the unpaid magistrates?—There is decidedly more fair play with the stipendiary magistrates than there is with the other magistrates. I have on one occasion remonstrated with Mr. Raffels about shipowners sitting on the bench to try sailors' cases. In one particular case which I had to deal with I wrote a letter to Mr. Raffels, and the press of Liverpool has commented very severely indeed upon shipowners sitting in sailors' cases.

Lord *Eslington.*

1527. You told us that the third crew shipped on board the "Maria," the German vessel, went on board in a state of helpless drunkenness?—They were taken on board in a state of drunkenness.

1528. Not only drunkenness, but helpless drunkenness?—I believe so. I refer specially to the fourth crew.

1529. And they were kept in that state?—Yes, in order to get the ship away.

1530. I want to ask you how you imagine that that ship was taken to sea?—A steamer went and took her in tow. Of course there would be a pilot on board the vessel, and that pilot would be able to give the best account of her condition; but it is a common occurrence, really, to take ships to sea with half their crews in an utter state of drunkenness.

1531. But this is the whole crew, and as the ship must be worked, I want to know how the ship could be worked and taken to sea by a crew that is in a helpless state of drunkenness?—In fine weather, with a steamer having the vessel in tow, and a pilot and her officers on board, they could manage it. I think I could manage it with two or three hands myself.

Lord *Eslington*—continued.

Mr. *Torr.*

1532. You say that there is a decided prejudice in the minds of magistrates against sailors, and you have noticed, too, a strong leaning against sailors in nearly every case you listened to?—It is nearly so.

1533. You say that that is chiefly evident when a lay magistrate presides?—Yes, I think principally then.

1534. Have you any idea of the proportion of those cases that are tried by lay magistrates and by the stipendiary, Mr. Raffels?—No, I cannot say that I have taken particular notice of the proportion.

1535. Would you be surprised if I tell you that out of 73 cases of this kind tried in the years 1876 and 1877, there were only eight tried before lay magistrates?—That is quite possible.

1536. Then how could you form that judgment, that you could discover a strong prejudice in the magistrates against them, as only one case in nine sailors' cases was tried other than by Mr. Raffels?—My impression has been formed from the number of cases that I have myself personally attended and heard.

Friday, 15th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gourley.
Mr. Ashley.	Mr. Hamond.
Mr. Bates.	Mr. Shaw Lefevre.
Mr. Bentinck.	Mr. Macdonald.
Mr. Thomas Brassey.	Mr. O'Shaughnessy.
Mr. Burt.	Mr. Plimsoll.
Mr. Corry.	Mr. Rodwell.
Mr. Dalrymple.	Mr. Torr.
Lord Eslington.	Mr. Charles Wilson.
Mr. Gorst.	

THE RIGHT HONOURABLE SIR CHARLES B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Mr. JOHN WILLIAMSON, called in; and further Examined.

Mr. *Williamson.*

15 March 1878.

Mr. *Plimsoll.*

1537. It has been represented to the Committee that many ships could not be manned with crews unless the extraordinary power of arrest without warrant were preserved; can you tell the Committee what is your notion of the proportion of ships which sail from Liverpool in which this power is necessary to secure their having crews?—I do not think that the power is so absolutely necessary in steamers as in sailing-ships, because as a rule they are a better class of men that go in steamers, and also they are for short voyages, at least, comparatively shorter than by sailing ships; but in sailing ships, I think, it would be a very great mistake to do away with the arbitrary power, as you are pleased to call it, that the shipowners have now; not so much that they desire or wish to enforce it, for I think I have shown that the punishments are in a very small proportion to the total number of men shipped, or in proportion to those who neglect to join and desert, but I think that, as a deterrent to prevent the increase of this neglecting to join and these desertions, it would be very desirable to maintain the present system.

1538. You have no knowledge, have you, of the treatment which respectable men receive when they are committed to gaol under circumstances like those?—No, I have no knowledge.

1539. Would you be surprised to find that men who are unconvicted, but simply remanded, are stripped naked, bathed, and even if they have provisions with them they are not allowed to eat them, but are compelled to eat the prison food, and are taken to the police court chained together, or in the prison van; is not that an extraordinary thing to subject a respectable man to who is unconvicted of crime?—I never heard of such treatment as that; but for men who have been guilty of the worst class of insubordination, attempt to take life, or such like, I think no treatment can be too severe; but I never heard of a case of seamen for ordinary neglecting to join, or deserting, being chained together and taken to prison. However, I am quite ignorant of prison treatment, and cannot express an opinion upon the subject.

Mr. *Plimsoll*—continued.

1540. I suppose you know that vessels occasionally leave Liverpool overloaded?—I believe that from Liverpool there are very few cases of overloading.

1541. I know that you are correct there, but still cases do occur?—None to my knowledge; I have heard of a vessel being stopped for overloading, but when the surveyor went down she was not considered overladen; but I am not aware of any case of overlading within my own knowledge.

Mr. *Gorst.*

1542. I understood you to say that the better class of seamen have a very strong objection to the substitutes who are put on board ship at the last moment?—They have.

1543. Are those substitutes the very worst class of men that are shipped in Liverpool?—They are the very worst type that go in ships.

1544. I understood you also to say that those substitutes were the very same men who had neglected or refused to proceed to sea in some other ship?—I do not think that I stated that; because as a rule those substitutes are very often men who have never been to sea in their lives before.

1545. Substitutes are generally put on board by crimps and by boarding-house keepers, are they not?—Yes, they are.

1546. Are they not men who having neglected to go to sea in some previous ship, are left upon the hands of boarding-house keepers?—That is quite possible.

1547. Then am I right in thinking that the men who refuse to go to sea, or who neglect to go to sea, and the substitutes, belong to very much the same class?—They belong very much to the same class; but as a rule, the substitutes form a large proportion of the worse element, the unseaworthy element.

1548. Then you think that the substitutes are even

Mr. *Williamson.*

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Mr. *Gorst*—continued.

even worse than the men who will not go to sea?—I should think so as a rule.

1549. In fact, the men who have refused or neglected to go to sea, form a stratum, if I may so call it, of the best class of substitutes?—I should think so.

1550. And there is a worse stratum still which the better class of seamen very strongly object to?—Yes.

1551. I understand you to say that you yourself, for your own interests, have never proceeded against men who have neglected to join your ships?—I do not think that is my evidence. I stated that for several years past we and a number of other shipowners in Liverpool have decided to prosecute all the men who could be got hold of who neglected to join.

1552. Previous to that agreement with your brother shipowners have you never proceeded against a man for neglecting to join?—I did not do so until a few years ago, when I began the system.

1553. How long is it since the agreement was made?—There is no fixed agreement; it is only a general understanding amongst a number of us, which was come to four or five years ago.

1554. Previously to that three or four years, you were never in the habit of taking any proceedings against men who neglected to join your ships?—I had never done so.

1555. Am I right in saying that your permitting proceedings to be taken now, is consequent upon that agreement or understanding with your brother shipowners?—That was so, to endeavour to put a stop to the increase of neglecting to join.

1556. Has your proceeding had that effect?—I cannot say, because I have no figures to guide me prior to about that time.

1557. How long have you kept figures?—My figures only go back to the last four or five years.

1558. Have you separated your tables year by year, so as to see whether there has been an increase or decrease in the number of men that do not join?—I should not like to say that that understanding was so widespread amongst shipowners as you seem to think. When I say myself and one or two others, that means a very small proportion of the shipowners of Liverpool, and therefore what we might have done may have no very appreciable effect on those returns.

1559. As a matter of fact has there been any decrease during those three or four years that this partial understanding has been in force in the number of men who have neglected to join?—Possibly my best answer would be this. In 1873, in Liverpool there were 2,048 seamen neglected to join; in 1874, the number was 1,185; in 1875, 817; in 1876, 1,019; and in 1877, 1,178.

1560. That does not show that there has been any very decisive result?—Except as compared with 1873, when the numbers were nearly double.

1561. That seems to be a very exceptional year?—Possibly it was; but I am not in a position to give any reason for it.

1562. The numbers in 1877 are the same within a very few as those in 1874?—Yes. If I give you the figures showing the men sent to prison, beginning with that year, that may possibly bear upon your question.

1563. Those are the numbers of the men who neglected or refused to join the ship; could you

Mr. *Gorst*—continued.

give me the number of those who were actually sent to prison?—In 1873 there were 165 men sent to prison; in 1874, 175; in 1875, 222; in 1876, 223; and in 1877, 181.

1564. You do not initiate these proceedings; you consent to their being taken. I mean it is not you that send to have the men arrested?—The procedure is this, that the out-door shipping office official, the runner, comes with a list.

1565. Is that Mr. Jenkins?—No, he is the superintendent of the out-door staff. It may not be he, it may be one of his staff who has charge of a certain ship or ships. After the ship has gone to sea, he will come up to the office with a list of the men who have neglected to join, and he asks at the office whether those men will be prosecuted, and we have one universal answer now to that question, "Do so."

1566. Then the only part which you would take, supposing the men were caught, would be to send a clerk from your office to prove that they had not gone to sea?—No, we cannot prove it; it is the runner who does that, and the return list of crew sent on shore by the captain.

1567. What further part do you take in the matter?—We take no further part, except paying 5*s.*

1568. In your case, I think, you have told the Committee you never have caught the men?—We have never caught a man; at least I am not aware of a single case that we asked the shipping official to prosecute in which we have had the man sent to prison.

1569. What is the interest which the shipping office official has in pursuing those men?—I do not know how the system has come about, but it is in the general shipping interest, whether it be shipowner or sailor, I should say.

1570. Do not you think it is at all in the interest of men who may have made advances to the seamen on an advance note?—I cannot see how that can be at all. I saw in the evidence given here by Mr. Fyfe, I think it was he who made the statement, that it is the crimp or the boarding-house keeper who prosecutes those men.

1571. Dr. Cumming, I think, made that statement?—Perhaps I am wrong in that; but, however, anyone who gives the least consideration to the point will see that that cannot be, because if the man was got hold of he would be likely to be sent to prison, in which case the boarding-house keeper or the crimp would lose all the advantage of the advance note which he holds. It is not in the interest of the crimp to put a man in prison. The crimp gets hold of the fellow, and he ships him again by another vessel, but with a false name and a false discharge.

1572. That is very often done, is it not?—It is a very common practice, but I should like you to understand that the crimp's interest is not to prosecute any man, and they do not do so.

1573. Surely if men never were sent to prison for not going to sea, there would be less security, as you yourself said, for their going to sea. I mean, supposing that this system were abolished, and the men were no longer liable to be sent to prison for refusing to go to sea, it is your opinion that they would not have the same inducement to go to sea?—I scarcely think they would.

1574. In point of fact, the law at present is, that if a man refuses or neglects to go to sea, he shall be sent to prison. Supposing that the law were repealed, so that a man might neglect or

refuse

Mr. *Gorst*—continued.

refuse to go to sea just as he liked, is it your opinion that more men would neglect to go to sea?—Certainly; most assuredly I think you would have the number increased ten times.

1575. Would not the security which the crimp has for the repayment of the advance which he has made upon the advance note less; the crimp does not get the money unless the man does go to sea?—He does not.

1576. Surely, if a man then refused to go to sea, would not the security for the money which he has paid upon the advance note be less?—It would be less; but there would be a great increase of the re-shipping of those men with false discharges.

1577. Then if the security for the advance note is less, is not it the interest of the crimp to send the men to prison or to send some men to prison?—I cannot say, but it might be; I am stating what is the fact now, that the crimp has no interest whatever in sending the men to prison.

1578. Is not this it, that in a given individual case the crimp has no interest in sending the man to prison, but that the crimp may have an interest in sending men to prison generally, making a certain number of examples?—I cannot express an opinion upon that.

1579. You will not accept my view?—I cannot see the point of it.

1580. How do you suppose that the crimp could make their men ship in a second ship if they had not the power of imprisonment to hold over the men. You say they very often get back their advance by making the men ship in another ship; how could they do that if they had not the threat of imprisonment to hold over them?—Anyone can form his own opinion on that; but I should say that it would be very easy for a crimp who got a sailor in a state of stupefaction by drink, to give him a drop more, and make him pass again through the shipping office.

1581. You have seen a great deal of seamen; in your opinion is the existence of this advance note system a great evil?—I believe it is a very great evil.

1582. And do you think that any means by which that system could be changed would be an advantage both to the seamen and to the shipowner?—Perhaps you would allow me to give you, before I give you my personal view upon that point, the shipowners' view. I am here as a representative, and I feel it is my duty to those who have deputed me to come here that I should give their views on that point first, before you question me as to my own.

1583. Certainly, if you would give us first the shipowners' view, and then your own, I shall be very much obliged to you?—Dealing with the Association which I represent, the Sailing Shipowners' Association of Liverpool, I shall give you their views at one or two dates upon the subject. In 1870, when considering the Merchant Shipping Bill, then coming up before the House, Mr. Shallcross, who is now the Chairman of the Local Marine Board, was Chairman of that Association, and here is an extract from the Minutes of the Association. "Advance notes. This association is anxious, if possible, to have them discontinued, and made positively illegal;" that is a resolution come to so long ago as 1870, at the same time it was considered difficult to abolish them; that was an expression of opinion then. In 1874, when

Mr. *Gorst*—continued.

the Royal Commission was appointed, there were two gentlemen appointed from our Association; the Chairman, Mr. Macdonald, and Mr. Nelson, our deputy chairman, to give evidence, generally, and amongst other points to give evidence in connection with the advance note. The evidence given by Mr. Macdonald was to this effect: "We are quite aware of the evils connected with this system. Whether we may not try to do without the advance note is a question well worthy of consideration. No doubt if it were done away with, inconvenience would be felt at first, but possibly, after a time, the thing would right itself." Mr. Nelson was then questioned by the Chairman of the Commission to this effect: "We were told that the great use of the advance note was, that it secured the men having some clothes; you do not think that the advance note has that effect?" Mr. Nelson says, "No, it too often goes in debauchery. If the advance note could possibly be done away with, and made illegal, not only in this country, but in foreign countries, a great many of the evils of which shipowners have to complain would right themselves." Then at a large meeting which we had in Liverpool previous to the introduction of the last Merchant Shipping Bill, probably the largest meeting of shipowners held in the port of Liverpool, so large that we could not hold it in the Shipowners' Association Office, and we therefore had to adjourn the meeting and proceed to the Law Association Rooms on the following day, a resolution was passed to this effect after dealing with the other parts of the Bill. "That advance notes given in the United Kingdom be rendered illegal. The abolition of the advance note would only cause temporary inconvenience, and that only to the reckless and dissipated seamen; but it would tend to make him more provident, and keep him out of the hands of crimps. Should advance notes be rendered illegal it is suggested that, say, 12 months' notice be given before the law would take effect, so as to inconvenience sailors as little as possible. The delay would also lessen the inconvenience which would necessarily (for a time at least) ensue to the shipowner." This resolution was not passed without objection. I have before me the minutes of the meeting signed by William Rome, chairman, in which this occurs: "An amendment to the effect that Clause C. (that is the one which I have read to the Committee) on page 3 (recommending the abolition of advance notes) should be omitted, was lost by a large majority." Those are the views of the sailing shipowners of Liverpool on the point. Then I should give you the views of the united body of shipowners of the United Kingdom which was held in London at the time the Merchant Shipping Bill was under discussion in the House in 1876. A resolution was passed by the Central Committee on the 23rd of March, "That the Parliamentary Committee be authorised by the Central Committee, to say that they offer no opposition to the abolition of the advance note, and will recommend to shipowners generally to make arrangements to avoid inconvenience, if the abolition should be enacted." You therefore perceive from all this that the shipowners fully acknowledge the evils of the system, and at the same time generally admit the difficulty that there is in carrying it into practical effect. As a rule those who object to abolition, do not do so on the principle of abolition, but on the expediency of it.

Mr. *Williamson.*

15 March 1878.

Mr. *Williamson.*

15 March 1878.

Mr. *Gorst*—continued.

1584. You have given us the opinion of the Shipowners' Association very fully; will you now be kind enough to give the Committee your individual opinion?—As honorary secretary, upon whom devolved the most of the work of the organisation of the Committee of Inquiry into the condition of our merchant seamen, a committee which I think I mentioned came into existence some nine or ten years ago; I may state that committee has maintained throughout that the advance note should be declared illegal. We are all aware of the difficulties, of course, attending the abolition, but the feeling is that if we could only get a trial of it, even for some years, to see if it could be done away with, it might be worth trying. But what we wish, seeing the evil that the crimp system does to the sailor, is to see crimping abolished entirely, and I believe if the advance note was declared illegal that the crimp would die out; he would have no occupation.

1585. Do not you think that if the power to imprison for neglecting to proceed to sea was abolished, that would destroy the advance note system?—Undoubtedly it would. [*N.B.*—In giving this reply, I must have failed entirely to appreciate the question, for this answer is neither in accord with my general evidence nor with my convictions.]

Mr. *Ashley.*

1586. You have been reading those resolutions passed by the shipowners about the question of advance notes; do you apprehend that in those resolutions they were referring to advance notes as dealing with the question of advances, or merely with the advance note in its present form?—The advance note in its present form is the only one that we dealt with, because it is the only form which we have of an advance to the men.

1587. Therefore you do not apprehend that when those resolutions were passed, the shipowners were willing to deprive themselves of the power of making advances in cash?—No; that was not considered, it was only dealing with the advance note, because that is the only form in which advances are given to the men; it gives a power of course to the crimp over the men if they hold these notes.

1588. I do not know whether you followed the discussions in 1876, sufficiently to remember the clause which I proposed, and divided the House upon; would you mind reading the first paragraph in this paper (*handing the same to the Witness*), and tell me whether it would meet the view of those resolutions?—It reads thus: "Any document authorising or promising, or purporting to authorise or promise, the future payment of money on account of a seman's wages conditionally on his going to sea, and made before his wages had been earned, shall be void. No moneys paid in satisfaction, or in respect of any such document, shall be deducted from his wages, and no person shall have any right of action suit or set off against the seaman or his assignee in respect of money so paid, or purporting to have been so paid."

1589. Would that clause, in your opinion, so far as you can judge, agree with the resolutions passed by those shipowners which you have read?—The first part of course is purely the advance note as it is now, and the second part is money.

1590. No, it is all one clause and meant to hang together?—It is very much the same thing,

Mr. *Ashley*—continued.

I think. There is no other way in which money is paid, unless you cash the advance note for the sailor himself.

1591. We have heard a great deal about the freedom of contract; is it not the fact that the present universal custom of making advances, under the pressure of the ordinary form of advance note, strikes at the root of freedom of contract, because no sailor, however good his character can now get an absolute advance from a ship owner?—I would not like to say that, and I will tell you how, I mentioned before the system that we have in our ships of giving good-conduct money to the men. We attach also to that the rule that a sailor, when he joins a ship again, or any other ship that we have, if he produces his good-conduct certificate at the time he ships, he can come up with his advance note to our office and get the money. We have never known one case where that class of man has neglected to join; we have never lost one sixpence by that system.

1592. Therefore you can say that you have to good conduct men practically made advances in cash?—We have.

1593. Have you ever given any attention to the possibility of having a registration of merchant seamen, so that if any seamen came to a shipowner to be engaged there would be a possibility of referring to his antecedents and to his good character?—I think that matter has been talked of a good deal, but if you consider the present character of the material that make up the seamen in the mercantile marine, there are a great number of men who go to sea one year and never go again; they are constantly changing. When there are from 16,000 to 20,000 fresh hands put into the mercantile marine every year there would be great difficulties attending such a system, I think. It would require a very large staff and a most voluminous arrangement of books to maintain the system.

1594. That is to say, you think there would be only a very small proportion of seamen who were sea-going seamen on the register at any given time?—Possibly so, of real seamen.

1595. Would not it be a great inducement to the other class of seamen to get on to the register, and remain there with a good mark against them, so as to have the advantage of advances being made to them?—It might be so; but I could not express an opinion upon that point. I would maintain that if the system which was suggested by our association about rating A. B.s, that is to say, a man only being able to rate till after he has been so many years at sea were adopted, that would be as good as any register that you could have; he could then show this rating, and it would prove that he was a good man.

1596. There would be no practical difficulty, I suppose, in the shipowners combining together to say that they would give no advance except to men who either brought such certificates as you say of being A. B., or men who would be on such a register as I have suggested?—I do not think that the shipowners joining together would effect that, unless the note was made illegal.

1597. In order to enable any shipowner to do that which he might wish to do in that respect, you must enforce it by a clause in an Act of Parliament?—Yes; but I could show you how the good A. B. would not suffer by the system at all, and yet get the benefit of it. At present a

seaman

Mr. *Ashley*—continued.

h ships, and he gets an advance note equal
nonth's pay; then the first allotment note
given to his wife, or mother, or his sister,
case may be, is payable two months after
ip sails. My suggestion would be if your
ay with the advance note, to let the first
ly money be paid one month after the ship
and let that be a full month's pay, and
o on with the half-monthly pay after that.
cally, then, the wife or the mother, or the
would receive as much money as she does
the present system, and probably a great
nore, as the advance, or its equivalent, the
onth's pay would be secured.

8. Would not it also be an advantage to
the seaman to make his allotment note
le to somebody not a relation, supposing he
single man, and had no relations, that he
l be empowered to make the allotment pay-
o a creditor?—I do not think that the sailor
bereft of all sense as to give his monthly
up to a creditor or to any class of men.

9. At present the allotment-note is not
payable to anybody except a relation?—
rally so; of course a sailor may pay it to
dy he likes, a sailor can get any relation.

0. If there was any difficulty from want of
in a seaman getting his outfit, which is
to us as the great reason for maintaining
dvance note, that might be met by his being
o direct the allotment note to be paid when
nthly wages accrued, to the outfitter who
ven him as clothes?—Of course he would
e power to do so; but our contention is
ou do away with the advance note you
the seaman more careful, and he will
e day when he gets ashore again,
take good care that he has got a
o get a jacket with.

Thomas Brassey.

ou have found that the system
nduct pay is attended with very
in improving the discipline on
and enabling you to secure a
seamen than most shipowners are
gh to obtain?—I should not care
latter part, because we have bad
s other people have, but our prin-
n starting the system was to put
ubordination, bad language, and
d conduct on the part of the men;
think we really have had a case in
ave had to enforce discipline in our
might have had one now and again,
ule (of course there are exceptions), I
ctically say that we have had no case of
ort through this system.

2. In fact, the system which you have
d has certainly tended to improve disci-
on board your ships?—It has, no doubt.

3. The very excellent principle which you
adopted does not prevail very widely, does
ong your brother shipowners?—I am not
of any having done it, except my brother's
Balfour, Williamson, & Company.

4. We had evidence before the Royal Com-
on on that subject, but I may take it from
hat this very excellent system, which you
our brother's firm have adopted, is practi-
limited to very few shipowners?—To a very
I should say; I should also add this:
lves do not get the benefit alto-

Mr. *Brassey*—continued.

gether of the system, except during a voyage in which those good men are, because with sailing ships the men cannot remain on shore sufficiently long to go back in the same ship. If we have another ship starting immediately after their discharge, or within a week or a couple of weeks after the first vessel has arrived, the men will go off in her and get the benefit of the good conduct certificate and awards, a good many will join that ship, but as a rule it is very seldom that they can go back in the same ship.

1605. What is the amount of this good-conduct pay which has been found to work such very beneficial results in your ships?—It is not very much. For the first voyage they get 2*s.* 6*d.* a month beyond their pay, and after that, 5*s.*; and afterwards they are always entitled to the 5*s.*, even supposing they have gone away from us for several years and come back again. And the advantage is also this: that when they go to a shipping office, and they show the good-conduct certificate from us, they generally have a preference by the master of any other ship.

1606. In other ships which have not sailed upon your system, I presume the rate of wage, and the treatment generally, and all the other advantages which the seamen enjoy, are practically uniform, are they not?—I should think so. I may say that generally the shipowners out of Liverpool, and I suppose the principal shipowners out of London, so far as I know, take great care of their men. They are very careful about their housing; at least as careful as one can be on board ship. You cannot have the best ac
commodation, but still they look after their co
fort in that way. They also take great ca
their provisions, and they give the seame
something beyond the so-called official s

1607. But practically, in those other
the seamen before the mast are on the sa
ing; no distinction is drawn with regard
pay and treatment generally between
who behave well and the men who beh
between the men who work hard,
who are idle; between the men
seamen, and the men who ar
they are treated practically
are they not, except in those
yourself and by your brother,
ciple of giving good-conduct
the men are shipped at the
scale at the time; whatever is
all the ships ship alike, and
What we give them is not do
office at all, it is something
not paid this money the
for it.

1608. Practicall
service generally t
duct pay, and raising
ment to the men to behav
—I am not aware of it, exc
ploys that I have named.

1609. I think I am right,
that however well a man may have s
through a long voyage, he is paid off
rest of the crew when the crew are d
—Yes.

1610. There is no such thing
service in the merchant navy?—N
firm tried it; he bought a hous
Liverpool, in order that their
kept at work on b
ship i

Mr. *Williamson.*

15 March 1878.

L

Mr. *Williamson.*

5 March 1878.

Mr. *Brassey*—continued.

to live in this house; but it really did not work; the men would not continue, for they could not discharge the ship, and could not load the ship, and there was no other work for them to do on board ship, neither could they be kept on board, so that the scheme was given up, and it is now become simply a home for apprentices.

1611. With regard to the interval which shipowners generally allow, what is the time generally allowed to the master of a ship for the purpose of picking up a crew before he sails?—It runs from three to four days; often four days; three days, probably, is the average time.

1612. A man begins to be in receipt of pay, does he not, as a general rule, about three or four days before the ship sails?—From the time he is ordered to join the ship.

1613. It rarely happens, I presume, that masters are allowed to take men on pay for a longer period before the ship sails than three or four days?—The pay begins at the time the men are ordered to be on board the ship, and if the ship gets detained he is entitled to pay the men from that time.

1614. As an ordinary rule, about three or four days intervene?—Probably three days; you ship a crew on Monday, and the ship is probably going to sail on the Wednesday.

1615. We are aware that the shipping interest is in a state of great depression; I think I may almost say that that is its normal state, and it is not possible for shipowners to indulge themselves in any unnecessary expenses, but still may I not k you this question, whether, putting the com- rcial question on one side, you do not acknow- that it is rather an unreasonable thing to get a numerous crew to perform all the duties in a large ship, on a long and difficult voyage, practically at a mo- tice, or at three or four days' notice?— refer to any difficulty experienced in en together, there really is no difficulty en as a rule, but there is a great od men, and you cannot get them. t it rather an unreasonable thing large crew of good men in tice for a long voyage?— in many of the ships be- lar shipowners of Liverpool l men are practically shipped e shipping office at all. The the vessels; if they know captain, they give him their which the captain puts in he goes to ship his crew A great many of the but of course that the crew. Very will get a pretty

airman.

Question 833, you object, as ists object, to what you call system of discipline proposed by the and you think that the discipline apply from the signing of articles, ming the ship. Do you not think itary sort of discipline is necessary ce afloat has begun, and where ecome impossible?—It is rather to answer, holding the views 4th clau The term made

Chairman—continued.

use of in drawing up our statement is pr an unhappy one, calling it a double syst discipline, because the 4th clause would disciplinary at all; but practically, at p the disciplinary clauses operate from the ti vessel clears from the pierhead, that is when the men are on board or should be on Those clauses now practically operate fro point, not from the time of shipment.

1618. You say that the disciplinary c begin when the men are on board, or should board; is not the difference between when are on board, and when they should be on the whole point at issue?—True; but pointing to what really in practice is the tion of our present powers, that they date that point. Then, by the proposed Bill, th ciplinary clauses would come into operati the same time, only there are exceptio favour of the men who neglect to join; consider that the military discipline, as are pleased to name it, is absolutely nec afloat, and that the time for its operation s commence unquestionably when the ship is ing out of the dock, which is the time whe men are on board or should be on board.

1619. No offence can be committed, c between the signing of the articles and th fixed for joining in the articles; it is only the time for joining fixed in the articles tha offence can be committed?—The offence is mitted from the time the men should be on and have neglected to join; that is the offe

1620. I mean that there can be no offe tween the time of signing the agreement time named in the agreement for joining whatever.

1621. Clause 4, therefore, takes minal proceedings between the t joining the ship and the actua ship; it in fact makes neglectin for civil and not criminal proce just where we differ.

1622. But that is the fact; Bill proposes?—Yes, the Bill p

1623. Until joining and actu board, warrants are procurable an cessible, but after service is begu must be as absolute as he is respon not that difference between before th ing and after?—It appears to me tha already stated just meets this qu because the power to proceed by wa posed by the 4th clause would prove The captain cannot remain behind to those who have neglected to join, and t as I stated before, will not do so; he will n ceed by legal procedure, by warrant

1624. But surely are there not agents ship who could proceed against a seaman has neglected to join even though the shi sailed?—I should say that no owner woul anything of the sort; they would not take trouble, or go to the expense of taking out rants, and go through all the necessary proce to punish a man who has neglected to join, i is bound to do so in this way.

1625. Have you never known an instance man being proceeded against by the agents ship for neglecting to join after the ship sailed?—It is only after the ship has gone they are proceeded against now.

1626. There might be an inter

Mr. *Williamson.*

15 March 1878.

Chairman—continued.

the time when the man ought to join the ship and the ship sailing?—No, that cannot be, because the men join at the last moment. If you go to the pierhead you will probably see half the crew or more bundled in with their kits at the pierhead, while the vessel is actually under weigh, and if they miss them at the wharf some of the men are sent out with a boat to get put on board down the river. We cannot tell till the vessel has gone who has neglected to join.

1627. There is often considerable time, is there not, between the time named in the agreement for joining the ship and the time of sailing?—Yes; supposing that the tide time was 12 o'clock, the vessel must be at the pierhead an hour before 12, that is to say, at 11 o'clock, and the men ought to be on board two or three hours before that in order to assist in hauling out. As a rule they never think of joining until the vessel is actually clearing the pierhead, and we have to employ riggers to do their work.

1628. When desertion takes place after the voyage has begun, either off the ship's side or in a port of call, is it not a much more dangerous and criminal act than neglecting to join the ship at first?—I do not know that, in its essence, there is much difference betwixt deserting when the vessel has put in anywhere, and neglecting to join or deserting after a man has joined before starting on the voyage; but it would inflict greater delay and more expense on the shipowner if a man deserts when the ship puts into a port of call, because you cannot get seamen there; you have to send for them to some other port. For instance, a vessel from Liverpool puts into [illegible] and two or three of the [illegible] at one [illegible]

Chairman—continued.

sent on from London, or if he puts into Holyhead, they have to be sent from Liverpool. He telegraphs to the shipping office or to the owner to send him on more hands, because half a dozen men have deserted or any such number, but as a matter of criminality it is not more criminal than neglecting to join.

1634. You do not see the difference between discipline; the service having begun, and the mere existence of a contract, the service not having begun?—I cannot see the difference at all; I consider that the time for the operation is when the man ought to be on board the ship, and I am confident that no other way will work but that.

1635. In answer to Question 841, you object to the 9th clause of this Bill, giving the power to demand a survey in defence against prosecution for desertion to a single seaman; do you observe that the first sub-section of that clause makes the court first satisfy itself that there is *primâ facie* ground for a survey, and that if not so satisfied they will inflict the full penalty for desertion. Are you not mistaken in saying that if the court doubted they must order a survey?—As I read Sub-sections 3 and 5 of Clause 9, I interpret them that there might be a doubt on the part of the court whether the allegation was groundless or not, and therefore we say if there is a doubt in the mind of the court on the point, they would be practically forced to proceed with the survey.

1636. That is to say, if they think there is a *prima* [illegible] supposing that the sea- [illegible] Yes; and also [illegible] whether t[illegible] do so by [illegible] man

Mr. *Williamson.*

15 March 1876.

Chairman—continued.

master does not carry money with him, and that there are occasions in which he cannot obtain money when the ship arrives and the crew are discharged. I think you would find that if that became law it would not be operative, it could not be done. I myself endeavour to do this as far as possible when our vessels come into Liverpool, but often I find that I cannot do it, especially if a vessel arrives late and the next day is Sunday, or a holiday comes in.

1641. Would you not think it very desirable in cases in which the captain could make a small payment that he should do so, leaving the rest of the amount to be settled by the superintendent, and enabling the seamen to get out of the way of the crimps and go home at once?—That is the reason why I do that myself when I can, but with every desire on my part to carry it out, I find there are cases in which I cannot do it; therefore to make it compulsory would I am sure not make me do more than I do now.

1642. You would think it desirable to give every facility for such an arrangement where it is possible?—Yes, certainly, if it could be put in force. If the Board of Trade made a suggestion to owners to do so, I am sure the owners would very willingly agree to such a suggestion. There are cases where it is very desirable to do it.

1643. Do not you think both in the memorial and in your own objections to Clause 19 that the word "payable" has been mistaken for "paid?" —I do not think that th[illegible] which [illegible] attach to it; [illegible] it is to be [illegible] to which [illegible] r[illegible]

Chairman—continued.

book for the captain to keep, but he would be rather astonished, I should say, to receive such a book with a counterfoil; he is not accustomed to keep such nice books. A captain's book is generally a very rough document, but it does not, as you mention, contain the advances made, but moneys paid by the captain abroad direct to the sailor besides tobacco and slops.

1645. Those are advances, are they not?—We call it an advance on starting, but we do not call those advances, although, of course, it is the same thing as you understand it; but I meant simply moneys given to a sailor during the voyage in a foreign port, and the tobacco and slops which are supplied by the captain; but I would also point out that there are other matters which have to be considered; I think the fines, for instance, are adjusted before the superintendent of the shipping office, so that I do not think a captain could very well deal with that matter in the memorandum book that you refer to.

1646. How are the fines adjusted?—I believe that is mostly done before the superintendent of the shipping office.

Lord *Eslington.*

1647. Are fines leviable except in the presence of the superintendent?—I do not think so; that is the beauty of the shipping offices; that if there is any dispute, it is generally settled before the superintendent; he is the referee.

Chairman.

1648. You think that fines would not be [illegible]sible such an account as I propose, but so fa[illegible] all [illegible] [illegible]nces made, and stores s[illegible] [illegible]nt l[illegible]

Mr. *Williamson.*

15 March 1878.

Mr. *Rodwell*—continued.

have only allowed them to charge the usual exchange, so that I think they would not always be able to give even a correct statement to the seaman of those matters which I have named.

1651. The superintendent acts as a sort of arbitrator?—Yes.

1652. And until he has given his decision, matters are not adjusted?—They are not adjusted.

Mr. *Torr.*

1653. Nor does he know what money has been paid to the wife or children?—No; the superintendent has nothing to do with that.

Mr. *Corry.*

1654. Your captain endeavoured to pay the men off on Monday, but he could not do so until Tuesday, because the superintendent was not able to attend to it?—The superintendent could not take the ship.

1655. The account which the chairman suggests would be of no advantage in such a case, because it was not the fault of the captain, but it was owing to the superintendent not being able to do any more duty that day?—That was the reason for the men not being paid off.

Chairman.

1656. With regard to Clause 23 of this Bill, you object to the words "all offences," because you say there are some offences like smuggling which could not be entered in the official log, and I should like to ask you whether, if after these words were inserted, these words "named in the emunerated sections of this Act," that objection would be met?—There is really no objection[illegible] clause, it was more a m[illegible] ion, Because the [illegible] only what co[illegible] fact th[illegible]

Chairman—continued.

his advance note; supposing a crimp has given so much to a man to spend, and he gives him a jacket and a night or two's lodging, and the whole amount is gone in that way, the crimp, of course, would lose the benefit of the advance note if the crimp got that man committed to prison.

1660. Therefore, so far as imprisonment goes, you were asked whether it was a protection to the crimp; but it seems rather to be the reverse, it would absolutely render the crimp's payment valueless?—Yes, if the man was committed to prison.

1661. The crimp getting the seaman into another ship does not render his note cashable, does it?—No, it is only cashable when presented. The shipowner has a return sent him by the shipmaster through the pilot giving the names of all the men on board, and then when the advance note is presented at the office ten days after the ship has sailed, the clerk will look at the return, and see whether that man's name is on the list, and if he is not amongst the desertions he pays his advance note; but if he is amongst the desertions it is not paid, and the note is valueless.

1662. The note is something in the nature of a promissory note, and I suppose the only method of rendering it illegal, which you propose, would be in the way of rendering it impossible to recover money from the seamen?—I presume that is the way, somewhat as was introduced in a former Bill two or three years ago.

1663. [illegible] enacted, do you [illegible] in some shar[illegible] place, a[illegible] but

Mr. *Williamson.* 15 March 1878.

Lord *Eslington*—continued.

seamen that these matters which occur at sea, and in which naval questions are very often mixed up, are left to the decision of a civilian in the person of the superintendent?—I should not think so. I really cannot speak with absolute precision on those points, but I have always understood that almost every case of the kind between a captain and a sailor is adjusted by the superintendent, and there has rarely ever been a question raised upon his decision.

1668. Do you remember the old register ticket?—I do not remember it, but I have heard of it.

1669. Can you tell the Committee the reason why it was abolished?—I could not; I have not sufficient knowlege of it.

Mr. *O'Shaughnessy.*

1670. The honourable Member for Chatham, a short time ago, asked you whether, if the power of imprisonment were abolished, it would not gradually lead to the abolition of advance notes and their abuses. I want to ask you this; supposing that your wishes could be accomplished, and that advance notes could be got rid of, do not I understand from you that that would lead to getting rid, to a great extent, of the dissipation which at present exists amongst those sailors?—Yes, I believe so; that is our object in suggesting it.

1671. And that it would indirectly lead, through getting rid of dissipation, to getting rid of many of the cases in which imprisonment is [illegible] necessary?—Ye[illegible]

1672. And tha[illegible] le, it wo[illegible] ble [illegible]

Mr. *O'Shaughnessy*—continued.

the crimp, do not you think that that would be an inducement to a man to behave himself so that he might deal with his employer for an advance of money?—I presume you would abolish both the advance of money and the advance note.

1678. We are talking now of abolishing advance notes; supposing you abolish advance notes, do not you think that men who now give themselves up to drink would be induced, by the hope of getting an advance from the shipowner, to gain a better character and to behave themselves?—I am afraid that if you introduced the advance in the form of money even, it would practically work in this way: that the men would, through the influence of crimps still combine and say, "No, we will not go unless you give us some money."

1679. Do I understand you to suggest that you should interfere with the power which a shipowner has at present, if he chooses to exercise it, of making an advance to well-conducted men?—I do not see how you could carry out the abolition of the advance note unless you prevented advances being given at all. I fear that you would have to do so.

1680. Will you tell us specifically, in a few words, what you conceive to be the difficulty in the way of getting advance notes?—If the advance note were to be made illegal right away, there would be great difficulties; I would give an illustration. Take the case of a vessel going from Calcutta to New York, and coming from New York across to Liverpool, the moment the vessel arrives at New York the men go on shore and demand their discharge; you have no power [illegible] say, no; the captain would have a revolver [illegible] to his head by those crimps in New York if [illegible] them; and the ca[illegible] is obliged t[illegible] in other [illegible] and

Mr. *O'Shaughnessy*—continued.

could not get a sovereign from one of the officers; he had had 30*l.* odd paid to him on the Friday, and on the Monday morning he had not a sixpence in the world. If that man had known that he would not be able to get an advance note he would take care, probably, to deposit 5*l.* of that money in a savings bank.

1681. Are you aware whether this system of advance notes is unknown in the case of ships belonging to several continental nations?—I do not know.

1682. You cannot say what the practice is in Austrian ships or Swedish ships?—I do not know. In many of the leading lines of steamers there is no advance note.

Mr. *Corry.*

1683. Are you aware whether it is not a practice in Liverpool, by some shipowners, to offer some additional wages to men if they do not take an advance note?—Yes, I have heard that that has been done.

1684. What has been the result of it?—I do not know.

1685. Would you be surprised to know that out of a crew of 30 men you would not get three who would take the additional 5*s.* a month and not take advance notes?—I suppose the crimps put them up to it.

1686. There is the fact, that although there is an additional premium offered for not taking an advance note, yet it is not availed of by the crew. I have known as much as 10*s.* a month offered to men in the North American trade not to take advance notes, and refused?—But as a reason for that I suspect that [illegible] when there we[illegible]le a poin[illegible]n no[illegible]

Mr. *Gourley*—continued.

arrangement unless you gave advances to your crew you would not get seamen at all?—I think that is one of the most important points in dealing with our seamen, especially in American ports, such as San Francisco, New York, and other ports, and I hope that the shipowners will press upon the Government more than they have hitherto done, the importance of endeavouring to bring about an understanding with foreign Governments upon that point. There is immense injury done to our sailors in those ports.

Mr. *Bates.*

1691. Personally you say that you would like to get rid of advance notes?—Personally I should.

1692. Will you tell us how to do it?—I cannot; I suppose the only way to do it would be first to make it illegal.

1693. Supposing them to be illegal, how would you do in the case which you have now mentioned, when a ship arrives from New York, generally speaking the crew have nothing to receive; what would become of those men on landing in Liverpool if they had no money in their pockets and there was to be no advance note?—I would argue in this way, that if the sailor knew he would get no advance note he would be more prudent.

1694. How is he to be more prudent if there is a crimp in New York always taking everything from him?—I suppose he would know that he could not depend upon an advance note when he come across to Liverpool, and [illegible] would not spend all the money he had [illegible] But another reason is this, that if you al[illegible]s you abolish crimps. I [illegible]tion that there are m[illegible]ding-house keepers.

Mr. *Williamson.*

15 March 1878.

Mr. *Williamson.*

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Mr. *Bates*—continued.

of the Sailors' Home that he has advanced money to the men to give them an outfit, but, so far as I understand him, that is done more in the case of distressed and shipwrecked seamen. There is no provision for those men, and without an advance note those men could not get to sea again; but special provision could very easily be made in a case of that kind.

1703. Then you would give advance notes to some, but not to all?—I would give power to an owner to pay at the Sailors' Home to a certain amount, say to the extent of a month's pay for any provisions which he has had there, and any little outfit he has got at the Sailors' Home.

1704. It has been suggested that, instead of giving Jack his advance note, you should give him the money in hard cash; do you think that that would answer?—I do not think that would do; that ought to be made as illegal as the other; you cannot make advance notes illegal, and not make cash payments illegal.

1705. Do you know whether steam-ship owners give advance notes to their crews?—I do not think so.

1706. Supposing a law were made that English shipowners should not give advance notes to their men, what would be the result, supposing foreign shipowners do give advance notes?—But then, assuming that they do, they have got so very few ships, and as the sailors must go to sea, I fancy they would mostly go in our own ships. I quite know and understand the difficulties that there [illegible] surrounding the abolition of the advance notes, [illegible] have admitted them, but I think, in view [illegible]reater gain, it is worth the effort.

[illegible] What proportion of sailors d[illegible] think [illegible] you call good men?—On t[illegible] all the shipmasters w[illegible] in long voyage shi[illegible]

Mr. *Bates*—continued.

would there be a difficulty that way, or not?—I think that would meet the case; it was only from that point that there is any necessity to introduce the imprisonment power.

1714. By that clause proceedings can be taken by warrant in case of deserters, but does not that entail very great expense upon the poor sailor?—He has nothing to pay the expense with; so that it is no matter to him if he did fail it would entail expenses undoubtedly on the owner.

1715. Supposing it was the captain or the agent to the ship that took proceedings?—The ship would be away with the substitutes then.

1716. Supposing the ship went into the river and waited two or three days?—I do not think that any shipmaster would keep a ship waiting until all the process of a warrant was gone through, and the man brought before the magistrate, and the whole procedure of the court dealt with; no shipmaster would do that at all.

1717. We will say that sailors sign articles to-day and that they are to be on board on Wednesday, as you stated; do you think those men will be there whether the ship sails or not?—We find that by the present system a certain number [illegible] them are on board, and a good many of them a[illegible] not on board.

1718. But suppose the shi[illegible] the other men remain, and w[illegible] board?—They never remain [illegible] away again, but then the ow[illegible] pay the man.

1719. Not when he goes aw[illegible] to work, but there is no work [illegible]

1720. I suppose when a m[illegible] join he is always logged when [illegible]

Mr. *Bates*—continued.

1729. But when a crimp gets hold of a man who has not joined, and for whom he has cashed an advance note, which is very rare, the crimp pursues him, does he not, until the sailor gets an advance note from another ship that he is going to join, and takes the proceeds of that to pay for the first one?—Yes, certainly; he ships him with a false discharge and a false name.

1730. Still he does not get the benefit of the two advance notes?—No, only the one.

1731. Do you know that many sailors in Liverpool receive a fair proportion of the advance note in the shape of slops, and in paying for their outfit?—Yes; in the case of men who are in respectable lodging-houses they will, no doubt.

1732. Are you not aware that sailors generally spend all that they have?—Yes, they generally do so, I am sorry to say.

1733. Do not they get into debt to the lodging-house keeper?—I have no doubt they do.

1734. Do not they pledge their clothes to the lodging-house keeper?—I have heard of such cases, and I have no doubt that it is so.

1735. If they have no advance note, how can they get those clothes back from the lodging-house keeper?—It strikes me that my previous answer to former questions upon that point will meet your question just now. You want to stop the crimp, and to do away with his evil influence. I think, if you do away with him, his bad influence which now is brought to bear upon the sailor would be done away with; but I should like to see the sailor a little more prudent; and with the knowledge that he will not get any money when he starts again, I think he would take good care to put a little of his money on one side, or he would give it to [illegible] use keeper [illegible]

Mr. *Bates*—continued.

—I do not think there are any advance notes given at all in leading steam lines.

1742. Do you think that a sailor who is going a voyage of six weeks requires an advance note in the same manner as a man going for one or two years does?—No, I should think not.

1743. I suppose there is nothing given in steamers to New York, because they do not want an advance note?—I think there is no advance note given in the Pacific Company, and certainly that is a very long voyage. I am not quite clear about that; they give allotment notes, but no advance notes, I think.

Mr. *Williamson.*

15 March 1878.

Mr. *Burt.*

1744. I understood you to say that you get a better class of seamen in steamers than in sailing vessels?—Yes, there is no doubt that the better class of seamen go in steam.

1745. Have you formed any opinion as to the reason of that?—It is very apparent. They have short voyages, and they have better food, because in the finer lines of steamers they have fresh provisions almost every day, which they cannot have in a sailing ship in a long voyage; and if he be a married man he sees his wife and family more frequently. If I was a sailor myself, I should prefer it, and I think it is very apparent why the best of them go in steam.

1746. I understood you also to draw a distinction between the sailing vessels and the steamers as to the necessity for the power of arrest, and to say that in the case of sailing vessels, it is necessary to retain that power?—I believe the same power applies to both, although in practice it is very little required in [illegible] steam. You are aware that all large [illegible] into the river the day before [illegible] on, and the men go [illegible] it is not often tha [illegible] them, or even n [illegible] es that men

Mr. *Williamson.*

15 March 1878.

Mr. *Macdonald*

1752. You have told us, in y... ply to Question 808, that 75 per cent. at leas... t of the seamen shipped at the shipping office in ... Liverpool give wrong addresses; can you tell me ... the cause of this?—I am very glad that you h... ve put that question to me, because it has brought ... p a matter which I am anxious to correct in a ... statement which I made the last time I was und... r examination on that point; I gave certain s... atements respecting the ship's crews from Liverpo... those statements I hold in my hand, and will le... th the Chairman, as he asked me to do; at t... e I stated entirely under error that 75 per ... nt of the men who shipped gave false addresse... I had left here I began to think whethe... not in error, because there is no means ... tecting the per-centage of the men who ... shipped, and I went down to the shipping o... and neglected to join when in Liverpool ... see whether I had been wrongly informed. ... found that I had taken up a wrong impressio... because you can very easily see that it could only apply to the men who had refused to join and deserted, for it is only those who are sought after. I have no doubt that the per-centage is very large of all that ship, but of those who neglect to join and desert, 75 per cent. fully give wrong addresses.

1753. Then your answer to Question 808 does not apply to all the seamen that sail from the port of Liverpool, but only to those who refuse to join the ship?—Only, because it can only be traced to those; there is no means of ascertaining the others. It was very inconsiderate on my part not to have thought of it before m... the statement, and I must apologise for ha... so.

1754. You have made another stat... would not ...

Mr. *Macd*...

the action of crimps to the ... the port of New York?—I do n... reports are; but I know what his sta... to our captains who go there, that he is po... to assist them in a case of that kind.

1759. I should say that that looks very much like a necessity for a convention?—Exactly so; that is what we have stated already, and what we have been trying to get.

1760. You say, in answer to Question 820, "A runner from the shipping office must go with him then, otherwise he would bolt;" if that man had no money given him in advance, is there any likelihood of his requiring all this protection, and all this watching?—I should think not.

1761. Is not the advance note, or money given ... n in advance on his labour, the cause of all this ... ection, and all this watching, and all this ... ng after?—It is so.

Mr. *Rodwell.*

...he sum and substance of your evidence, ... w of the advance notes is this, that ... of them that you object to, and no... ?—Entirely so; it is simply wha... iven rise to that is objectionab... le.

Mr. *Torr.*

... you whether you wish th... l that you support in all ... ndations of the Liver... n?—I do, all of them.

176... mination of Clause 4?

Comm... these po... forms which you ... pool S... nitte...

Mr. *Torr*—continued.

per-centage comes to close on 6 per cent. instead of 2·7 as I gave before. I think you will find that although it is very rough it is very approximate, and it is more correct than the other, for the other is misleading.

1766. Have you not any statement prepared about the number of convictions or persons brought before the magistrates?—Yes, and I will put it in (*delivering in the same*). I may say of this that it embraces returns made by the deputy governor of the gaol at Kirkdale from the 2nd of October, that is 5½ months. There were about 71 seamen imprisoned in that time; of these, besides the six that have been already brought before this Committee's notice, there are only three others that have been convicted by lay magistrates; the others were convicted by Mr. Raffles, the stipendiary.

Mr. *Torr*—continued.

Mr. *Bates.*

1767. If you did not give money to the men you send from Liverpool to Cardiff, when you have a ship loading at Cardiff, could they go at all?—Yes, because you have got to pay their railway fare in any case, and you must feed them on the way.

1768. If you did not give them that cash would they go?—Not by the present system, but if you abolish the advance note system, they have got some money in hand it is to be expected.

Mr. *Williamson.*

15 March 1878.

Mr. Edward Stock Hill, was called in; and Examined.

Mr. *Charles Wilson.*

1769. You are a partner in the firm of Charles Hill & Son, of Bristol and Cardiff, shipowners, employing about 300 sailors?—Yes.

1770. And you are also shipbuilders?—Yes.

1771. Are you a Justice of the Peace for the County of Glamorgan and the Borough of Cardiff?—Yes.

1772. Are you also a member of the Bristol [illegible] Chairman of the Cardiff [illegible]

[illegible] at Clause 2, [illegible] ious Acts [illegible] odified? [illegible] sist-

Mr. *Charles Wilson*—continued.

much the same thing as giving the men absolute liberty to join the vessel or not, just as they pleased, after they have signed articles.

1778. Do you think that it would in any wa[illegible] tend to inconvenience the sailors on board th[illegible] ship by their having those substitutes, who are [illegible] inferior class of men?—I think there is no [illegible] that men who are shipped in that rando[illegible] would be the worst class of men who are [illegible] up at the last moment at the pier head. [illegible] days, of course, when one can only put [illegible] one's ship the least possible number for [illegible] of navigation, if you get an [illegible] it is a great inconvenience [illegible] to the others.

1779. Would there n[illegible] it might create d[illegible]

Mr.

Mr. *Hill.*

15 March 1878.

Mr. *Charles Wilson*—continued.

proposed?—No, I no not. I think it is a very serious offence, and imposes a very heavy loss upon the owner, the men not being there, and I do not consider that six weeks is a sufficient punishment.

1786. Do you think that the clause ought to apply to advance notes as well as to money?—Personally, I hate advance notes. I consider that they tend to debauch the sailor and to rob him and his family of his hard earnings, and to be utterly undesirable in every respect, but if the clause is to be of any use at all, it will have to be extended to advance notes.

1787. Then I understand you to say that, as a shipowner, you would wish to do away with advance notes, if possible?—Certainly; I cannot conceive of any possible reason for keeping them. The advance note is given to enable the sailor to provide himself with an outfit to go to sea, but instead of that I have found, from my own experience in the matter of sailing vessels belonging to my own firm, and from the language of many of the captains, that the money is not applied to that purpose. The men, in a large number of instances, one might say, I think, in the majority of instances, come on board vessels for a long voyage totally unprovided with any kind of outfit at all. If that be so, I can see no reason why the sailor should be paid beforehand any more than any other kind of artisan.

1788. It is to enable the penniless seaman to provide himself with an outfit before going to sea?—That is the origin, I presume, of the ad-

[illegible] his penniless state whatever it is, in [illegible]ion, the result of his power of getting [illegible]e of money before going to sea?—No[illegible] tendency of the advance-note [illegible]t providence, because, [illegible] knows very well that [illegible], and therefore [illegible] him to save [illegible]

Mr. *Charles Wilson*—continued.

allotment note would then become payable at the end of the first month, and the family would then get it, but at present unless the sailor be a provident and wise creature, which I am sorry to say he is not as a rule, the money is spent, and the wife and family get nothing of it until two months afterwards, and then she can only get half a month's pay.

1794. We have been told a great deal about crimps; it is difficult to know exactly what a crimp is; apparently he is a sort of boarding-house keeper or a small store dealer, or a runner from a public-house, or some other worse house, who preys upon seamen?—Yes; a crimp is an individual who gets the sailor either to his own boarding-house or elsewhere, and then sucks the blood out of him, and when he has done that he gets the advance note, which he gives him very little for, and sends him to sea. Crimps have the men in their power to an incredible extent. They get them into their power, and place them aboard vessels which they have never seen, and they ship them in vessels that they have never heard of before, and altogether they exercise the most injurious influence upon the sailor that it is possible to conceive.

1795. At any rate it appears that the sailor must be rather of a peculiar and an exceptional class to allow himself to be robbed in this manner?—No doubt he is; the nature of his service renders him exceptional. He goes to sea for long voyages, and he certainly has to undergo a certain amount of privation which is incidental to the service, and when he comes ashore it is rather natural he should want to go on the [illegible], and he does go on the spree, and the [illegible]m to do so in a very [illegible]ractual

Mr. *Charles Wilson.*

1803. With regard to Clause 7, do you deem the power of arrest which is given by that clause with the subsequent limitations desirable?—No; I think that the limitations render it to a great extent nugatory. I think that the power of arrest ought to be exercised as soon as the time has arrived when the sailor agrees to join the ship. I think that in that Clause 7 there are some words which might lead to some difficulty; I refer to the words, "deserts from his ship, or is absent without leave and without sufficient reason from his ship, or his duty; I think that would give rise to a great deal of difficulty, and I would like to leave these words out "without sufficient reason." I do not think that there should be any sufficient reason for a man to leave his ship without leave.

Chairman.

1804. Do you think that if a man had leave to go ashore, and fell ill so as to extend his leave, that would not be sufficient reason?—Yes, but then he would not be absent without leave, he would have gone on shore with leave.

Mr. *Charles Wilson.*

1805. Do you approve of Clause 9, which gives power to a seaman charged with desertion to demand a survey of the ship?—Generally I have a great objection to his doing that.

1806. Has it appeared to you that it is not only an able seaman who may cause a survey, but even an apprentice who may be going to sea for the first time?—That, I think, would be very improper. I think there should be power on the part of the crew to have a survey; but I certainly do not think that one single [illegible] power.

[illegible] appre[illegible]

Mr. *Charles Wilson*—continued.

magistrates are to a great extent shipowners, and have a tendency to act with severity to seamen?—That is not so. I do not think there are more than two or three shipowners on the Cardiff bench at all, if so many.

1811. There has been a charge brought against magistrates, that they have a leaning towards shipowners; is that your opinion?—I have generally heard the magistrates accused of leniency to seamen.

Chairman.

1812. Do you know the number of magistrates on the bench at Cardiff?—I think there are 13 or 14 on the bench, and three out of the 14 are shipowners.

Mr. *Charles Wilson.*

1813. Have you anything to say with regard to the other clauses of the Bill until we come to Clause 19?—I have nothing to say to those.

1814. Clause 19 is with regard to wages; do you consider that clause desirable?—I think that some time should be allowed before it is compulsory to pay wages.

1815. What time do you think ought to be allowed?—I think 48 hours is not an unreasonable time to allow. There are many reasons which may make it difficult for the captain of the vessel to make his arrangements for getting his money before he can pay the wages. As I stated just now, he may arrive on a Sunday, and the next day the shipping office may be engaged, so that he cannot pay off his crew.

1816. Do you consider that Clause 20 would be a benefit to the sailor?—No; I think that Clause 20 would be playing into the hands of th[illegible] crimp. If a man had 2 *l.* in cash given him [illegible] certainly go ashore, and inevitably [illegible] and I do not think [illegible] able.

[illegible] think of Cl[illegible] difficulty [illegible] which [illegible]

Mr. *Hill.*

15 March 1876.

Mr. *Hill.*

15 March 1878.

Mr. *Charles Wilson*—continued.

with reference to the system of discharge and payment before the shipping master; is that beneficial to the seamen, or not?—I think it most beneficial to the seaman that he should be discharged and paid before the shipping master. I think that every encouragement ought to be given to the seaman generally to send home his money, or to place it in a savings bank, and I very much approve of the recent action of the Board of Trade in that direction. At present I believe it is only confined to the port of London, but I hope that it may be further extended. The question of the necessity of shipment at the shipping office is one which I do not feel so much certainty about. I have heard many experienced shipmasters express their regret at their inability to engage their crews on board their own vessels because they alleged that they were unable to do so. If the seaman would come down to the ship, and would see for himself, that would very often prevent complaints being made afterwards of a dislike of the accommodation; at any rate he would have an opportunity of seeing the accommodation.

Chairman.

1821. Could not you make arrangements with the Board of Trade to do so, as in many instances is done with the larger ships?—I do not know. I was under the impression that they can only ship before the shipping master.

1822. I think we have had evidence that in Liverpool the large lines can do so, and there is a provision in the Act to enable such arrangements to be made with the Board of Trade?—I was not aware that that was a general arrangement.

Mr. *Charles Wilson.*

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Mr. *Charles Wilson*—continued.

1824. Have you any Sailors' Defence Association at Cardiff?—No, I do not know of any.

1825. You do not know that there are in different parts of the kingdom several Sailors' Defence Associations, which are called Plimsoll's Defence Associations, at the ports?—I have never heard of it by that name. I think I have heard of a Sailors' Society in Liverpool.

1826. You are aware that the working classes to a great extent are members of Friendly Societies?—Yes.

1827. Do you think that it would be possible for seamen to join together for their own protection, so far as advance notes are concerned, that they might form themselves into a Friendly Society, so as to fit themselves out for sea at any rate?—It would be very possible for them to do so, but I do not think that they would.

1828. But there would be no reason why they should not?—No, there would be no reason why they should not, except that, as a class, they are not that kind of men that would be at all likely to do so.

1829. But philanthropists might perhaps put them in the way of doing it?—If philanthropists liked to find the sailors' outfit it would be very nice indeed for them.

1830. I do not mean to find them an outfit, but to make them join an association of that kind?—I am afraid that the institution would not be of long duration.

Chairman.

1831. Are not the seamen engaged in Cardiff generally non-resident there, but coming from [illegible] parts of the kingdom?—Generally that is

Mr. *Charles Wilson*—continued.

instances in which it may not be done in three years; it possibly might, but the general opinion of nautical men with whom I have conversed on the subject is, that it should be four years, and that accords very much with my own feeling upon the matter. I should like very much to have seen in the Bill some attempt to deal with the question of the encouragement of training lads for sailors, but that has been left out. Personally, I very much regret the abolition of the apprentice system. I think that was a very important mistake, and, I think, most practical shipowners feel it to be so at the present moment, although I fear that, perhaps, they were in great measure the cause of its being done in former days. To my mind it is impossible to get them skilled unless you train them for it; and, unless a lad is properly trained, he cannot become a good sailor any more than he can become a good tailor, or a good bootmaker, or a bricklayer, or anything else.

Lord *Eslington.*

1833. You stated just now that a sailor often presented himself on board ship as an A.B., who had never been to sea; you do not wish to correct that answer, do you?—No, I do not wish to correct it.

1834. Surely any experienced captain would know, with one eye shut, whether a man who presented himself had ever been to sea before, would he not?—If he had an opportunity of examining him, I dare say he would, but I am telling you the actual facts as they have been told to me by some of my own captains who found themselves in that position; no doubt the men ought not to have been there.

Mr. *Bates*—continued.

Mr. *Hill.*

15 March 1888.

you gave them advance notes?—I do not see how that has anything to do with getting them down to Cardiff. If you want to take men from one port to another you must provide them with the means of transit.

1842. That is an advance note in another shape?—No, you need not give them any money. You may take them to the station and buy a ticket for them, and provide them with food on the way down, and deliver them over to the ship when you get them there.

1843. Have you a stipendiary magistrate at Cardiff?—Yes.

1844. Does he generally sit upon sailors' cases, or do the lay magistrates?—He attends three times a week and takes what cases there are.

1845. Does he ever attend by himself; is there only one court sitting at a time?—Only one court sitting at a time; the other magistrates very often sit with him, but not in a separate court.

1846. Consequently for three days out of six the stipendiary magistrate must hear all the cases?—Yes.

1847. You said that you thought it was a very bad plan to give a sailor a little money on landing from his voyage; do not you think that it would enable the sailor to choose what lodging house he should go to if he had the money in his pocket?—If he were so disposed it would, no doubt, but I do not think that that would be the result of it.

1848. You disapprove, do you not, of the proposal to give a man 2 *l.*, or one-fourth of his wages on landing?—I disapprove of it; it appears to me to be unnecessary, as the wages would be paid as it is suggested within 48 hours; 10 *s.* had 10 *s.* that would be quite sufficient for [illegible]

1849. When vessels come to Cardiff I suppose that [illegible] man has 2 *l.* to receive very generally he has, if he [illegible]

[illegible] few coming [illegible] Not [illegible]

Mr. *Hill.*

15 March 1858.

Mr. *Bates*—continued.

1858. When they land from a voyage I suppose they have something?—Very little indeed.

1859. Have they no sea clothes?—Very little clothes indeed; they may have some little, but not much more than they went away with, very likely.

1860. Do you not think that if the law were to be renewed with regard to apprenticeships, it would be of great service?—Yes, I think it would; but at the same time it is quite possible that there would be difficulties about renewing it to the extent to which it existed in former times. I think that it is the duty of every shipowner to do something towards training seamen, and if he does not carry apprentices, I would make him pay money, which money should be devoted to bringing up those apprentices; because there are some firms who will not carry apprentices, and I think it is nothing but right that they should pay towards the support of training ships.

Mr. *Hamond.*

1861. You say you are an extensive shipowner; when your ships are paid off, are you aware, of your own knowledge, that there is any arrangement or desire expressed on the part of a master [illegible] re-engage any good men that he may find on [illegible] his vessel?—I do [illegible] her he [illegible] some [illegible] ere [illegible]

Mr. *Hamond*—continued.

their wages when he finds that they are not fulfilling their duty on board?—He may do that, but it is not an easy thing to do; captains have often told me that they have found great difficulty in carrying it out.

1867. Still they do do it, do they not?—Some times; as a rule it is not often done, as it leads to a very great amount of disturbance on board the vessel.

Mr. *Rodwell.*

1868. You said that the words in Clause 26, namely, "when a ship is about to arrive, or has arrived," were in your opinion not quite large enough, and you would suggest introducing after the word "or" "is arriving"?—Yes; for instance, a vessel may be in King Road in the Bristol River, and she is about to arrive there; then she may be going up the river, and then she would be arriving, and she gets into the dock, and she has arrived.

1869. You said you thought that there was no distinction between the case of an ordinary labourer and a seaman with regard to paying him before hand; does not it occur to you that the seaman is leaving his family for a certain time, and that his case is very different from that of a man who is on the spot, and can receive his weekly wages?—Of course if the advance note were used for the family, it would be all very well, but it is not so.

1870. You would like some system of allotment notes if you could have it?—I would make the allotment note take the place of the other, instead of waiting two months; that is the way in which I would provide for the family.

1871. With regard to Clause 4, I understood [illegible] the opinion that Clause 4 as now [illegible] y? [illegible] ite so [illegible]

Mr. *Rodwell*—continued.

have them 5 *s.* under the current rate of wages." I know that to have taken place in several instances.

Mr. *Shaw Lefevre.*

1876. To what extent are advance notes used in the service?—They would be the rule, I should should say, almost invariably.

1877. Especially in the foreign trade, I suppose?—Yes.

1878. When allotment notes are given, is there also an advance note?—Yes.

1879. How soon does the seaman cash the advance note after obtaining it?—The moment he gets it he gets it cashed; he may discount the note. The note is generally payable at Cardiff three days after the sailing of the vessel; that note is drawn upon the agent of the firm or upon the owner, whichever it may be, and it is taken to the owner's office, and he endorses it, and then that note becomes payable, whatever happens.

1880. The seaman gets an advance from a third person upon that advance note immediately after receiving it?—No doubt he goes to the crimp at once.

1881. Under the law as it now stands, having received an advance note, he takes it and gets it cashed by a third person, and he would be subject to imprisonment if he neglected to join?—Yes.

1882. I take it that, in your opinion, advance notes ought to be included in this clause, so that a seaman having obtained, either directly or indirectly, money on an advance note, should be liable to imprisonment if he did not join the vessel?—If there are to be advance notes, I should wish them to be included in that clause.

1883. Then the general result of [illegible] practically, [illegible]

Mr. *Corry*—continued.

at which the owner does not reside, and the captain might not have the money.

1889. It sometimes happens that a ship may arrive at a port where the owner has not even an agent?—That may be so, very possibly.

1890. Do you think that the crimp system would be materially affected if the advance notes were done away with?—I do. I think it would have a very great deterrent effect upon it, if not destroy it altogether.

1891. Has not the crimp a greater interest in the sailor when he arrives from a foreign port after a long voyage than before he sails?—He has a greater interest in him, no doubt, then.

1892. Because he would be entitled then to his wages?—Yes.

Mr. *Gorst.*

1893. I understood you to say that you were in favour of the men engaging themselves on board the ship itself?—I stated that several experienced shipmasters had expressed their regret at their supposed inability to do so, but the Chairman has said that I was under a false impression.

1894. They are unable to do so without the special leave of the Board of Trade, but do you think that it would be a good thing if men were allowed to make their contract freely on board the ship itself?—I think it would.

1895. I presume that the better class of ships are rather sought after by seamen?—Yes, by the better class of seamen.

1896. Men will come and try to engage themselves on the better ships?—Yes, they will.

1897. So that the better class of ships have no difficulty whatever in engaging their men [illegible] board?—I do not think they have.

1898. Do not they now practically co[illegible] nd, and make an agreement with th[illegible] e ship to [illegible] il with him, and the[illegible] and sign article[illegible] but not en[illegible] lass of

Mr. *Hill.*

15 March 1878.

Mr. *Gorst*—continued.

public-houses; they get the money, no doubt, from the crimps, from the advance note, or some of the proceeds of the advance note might go in drink.

1908. Is it your opinion, that if in any way the advance note were got rid of, seamen would not to such an extent neglect to go to sea?—I think it would have a beneficial effect in that direction.

1909. Would not you say to a very large extent?—To some extent, and no doubt to a considerable extent; I do not say that the abolition of the advance note would abolish drunkenness, but at the same time it would have a tendency in that direction, which is all that you could hope for.

1910. I suppose that the security for the advance notes is the power which the crimps have to make the men go to sea; could you put yourself in imagination in the position of the crimp who has cashed an advanced note; he cashes that advanced note because he knows that he can force the man to go to sea?—He looks after the man to see that he does go.

1911. He could not get his money from the owner until the man had gone to sea, and therefore he advances the money, because he knows that he can make the man go to sea?—Yes, that is so.

1912. The crimp advances money to the man because he knows he has the power to make the man go to sea?—I do not know that he has the power; he cannot make him go.

1913. Only he can put him in prison if he does not?—No, the crimp cannot, unless he can get the owner to prosecute him.

1914. But he can get the owner to prosecute [illegible] can he not?—Perhaps so, and perhaps not.

[illegible]. Did not you hear the evidence of Mr. [illegible]on, that in Liverpool the owners [illegible] their minds, in almos[illegible] every case, [illegible] do so?—To giv[illegible] [illegible]ds, I will [illegible] [illegible] in [illegible]

Mr. *Gorst*—continued.

1921. By the threat that if he does not do so he will get him imprisoned?—He may possibly do so.

1922. Do not crimps very often get men actually on board ship drunk, by telling them that they will have them put in prison if they do not?—No doubt it is to the advantage of the crimp to get the men on board ship, but sometimes it is no longer to his advantage to induce the men to go on board; it is rather to his advantage to get them to desert. Three days after the vessel leaves, the advance note becomes payable, and on the morning of the fourth day, if the vessel is detained by contrary winds, it is to the crimp's advantage to get the men away from the ship, and that is no doubt the cause of a great many complaints of the unseaworthiness of some ships. The men complain and want to get off; some of them do not care about imprisonment at all, and they desert from the vessel and run the chance of being caught; and if they are not caught they go to some other port and ship again; in that case it is the interest of the crimp to induce them to desert.

1923. It is his interest, in case the ship is detained so long as three days, so that the advance note has become payable?—Yes.

1924. Do the advance notes at Cardiff generally run three days?—Yes; there was an effort made to extend the time to 10 days, but we were powerless against the crimps, and our firm sent three large ships to sea with crews of black men, in order to try to do away with it, but it was no use.

1925. You could not get the time extended at Cardiff from three to 10 days?—No, the crimps would not allow of it; they had a meeting, a[illegible] that they would not do it, and we [illegible] [illegible]ers [illegible]

Mr. *Hill.*

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Mr. *Gorst*—continued.

1933. If he had not the security of imprisonment to make the man go to sea, would he venture to make an advance upon the advance note?—I think he would not at the same rate, and as an answer to that I would quote these statistics, that out of 446 who did not go to sea, there were only 65 that were punished, therefore, I do not think it would have any effect at all upon them.

1934. You do not think that the power of imprisonment is really a power of imprisonment for debt?—It is a power of imprisonment for breach of his contract.

1935. You do not think that it is equivalent to a power of imprisonment for debt; you do not take that view?—I take it that the man has committed a breach of discipline in not joining his ship, which has led to very serious consequences, for which he is punished.

1936. Who puts the law generally in motion, the shipowner or the crimp?—I have already explained that the mode of action is to get the shipowner to sign an undertaking to pay the expenses incurred, and unless that be signed, the Board of Trade will take no action in the matter. The officers of the Marine Superintendent's Office take the initiative in the matter.

1937. And at Cardiff they will not do that unless the owner agrees to pay the expenses?—No.

1938. You have put a great many men in prison at Cardiff, have you not?—Sixty-five last year, out of 446 that deserted.

1939. Do you know what the tonnage that goes out of Cardiff every year compared with the tonnage which goes out of Liverpool may be?—I cannot give the figures.

1940. Is it greater or not?—Probab[illegible] so great, but it comes next to it, I believe.

Mr. *Ashley*—continued.

that clause is, who it is that is defrauded?—I suppose the person who pays the man the money.

1946. Is it the shipowner or the crimp who is defrauded by the man refusing or neglecting to perform the agreement to go on board the ship?—If the shipowner has paid him the money the shipowner is the man defrauded, certainly.

1947. How can that be when you told us that the money is not paid until three days after the seaman has joined the ship?—I do not quite know whether you are supposing the clause to embrace advance notes at all.

1948. I am supposing that it is money received under the universal system at present, which is of advance notes?—I do not know whether advance note and money are synonymous terms; I think I understood the Right Honourable Chairman to say it was not so.

1949. That we need not go into, because I am only asking you, it being the universal custom at Cardiff to make certain advances in the shape of advance notes, and you having suggested that the words "advance note" should be inserted, I want to make sure whether it is the shipowner or the crimp who is defrauded?—If the advance note has not been paid by the shipowner, of course the person defrauded would be the individual who has cashed it, the crimp.

1950. Then under that view of the case, Clause No. 5 is a clause to punish by imprisonment fraud upon the crimp?—No, I do not see that it is; it has that incidence, but I do not read the clause in that way.

1951. It is headed "Fraud," and fraud is committed on the crimp who advances the money?—If the advance is made in that way.

1952. With regard to cashing the note, is t[illegible] advance note given at the shipping office or w[illegible] articles?—When the man[illegible]

[illegible] not frequently happe[illegible] number of men to sig[illegible]

Mr. *Hill.*

15 March 1878.

Mr. *Ashley*—continued.

tainly, the day before they would, and in some instances two or three days before, but it is impossible to do it; the proportion of the men would be so unreliable that you practically could not do it; in the first place, they would not come, and if they did, you would find that they would be wanting at the very last moment, when you must depend upon them for performing the necessary operations of hauling the ship out of dock and going to sea.

1961. When they sign articles is not the time fixed for joining?—Yes.

1962. As a matter of fact, is not that time usually 48 hours before the owner settles whether his ship is fit to go to sea?—No, it is generally the day before; but the men are not expected until they get to the pier-head. If you were down at Cardiff you would see the crimps coming in with the men in carts with their boxes, and they are often put on board while the vessel is going through the lock.

1963. Are you only speaking with regard to Cardiff, or from your general knowledge?—I am speaking of Cardiff and Bristol.

Mr. *Gourley.*

1964. As a rule, you think that shipowners put in the articles as the time of joining the day before the ship sails?—Yes; they have to employ riggers to do the work. It is usual to make an agreement with the riggers to move the ship about from place to place, and to get her down into the basin; in fact, doing all the operations previously to her actual sailing out of the locks.

1965. They would not do that if they could get their own seamen?—Certainly not; they [illegible]uld much rather do it with their own crew if [illegible] could get the seamen.

Mr. *Macdonald.*

[illegible]ou mentioned the case [illegible]
[illegible]ng the curious cond[illegible]
[illegible]the "Eagl[illegible]
[illegible]

Mr. *Macdonald*—continued.

of the shipowner that the crimp makes those men drunk and brings them on board drunk, and the object is what?—It is difficult to say what their object is.

1979. Is it not that they may get their advance note cashed?—No.

1980. Is it for the welfare of the shipowner to bring the men on board drunk?—I do not think that they care much about the shipowner.

1981. Is it for the welfare of the seamen that they bring him on board ship drunk?—Certainly not; it cannot be for the welfare of the men or the owner that they should be brought on board drunk.

1982. I am speaking to you as a man; do not you think that such a system practised by men in a country like this is a disgrace to the country?—I cannot express myself too strongly against the action of the crimps, which I believe to be the result of the advance note.

1983. You believe that the advance note is at the bottom of that system?—I believe it is; at the same time I do not say that the abolition of the advance note would cause all the men to come on board sober, but I think that the present system of advance note is the life of the crimps, and that the crimps do encourage the men in their evil habits.

1984. Do you think that, if the advance note was abolished, there would be any necessity, as a rule, for having these compulsory laws for the purpose of getting the sailor to join his ship any more than they are necessary to induce other workmen to join their occupations?—I thi[illegible] the abolition of the advance note would [illegible] improve the tone of the sailor, but at t[illegible] time I cannot hope that legislation wo[illegible] all [illegible]s good, or that it would be [illegible] to punish them.

[illegible]ked i[illegible]

Mr. *Gourley—continued.*

shipowners are concerned, the law is a dead letter?—Not exactly.

1990. Supposing that the power of arrest without warrant should be abolished, do you think that the shipowners would have any greater difficulty in getting their sailors on board than they have now?—Yes, I think much more; the effect of it would be simply this, that a seaman would feel it to be quite open to him, after he had signed articles, to choose whether he would go on board ship or not.

1991. Do not you think that if seamen were subject to an ordinary summons, the same as other men who break contracts, they would be just as ready to perform their duty as they are now under this law of arrest without warrant?—No, because the summons would be perfectly inoperative. If I take the operation of the Employers and Workmen's Act correctly, it would be this: you would first of all have to go to a magistrate and lay an information and get a summons; then that summons would have to be served upon the man, and he would then be brought up; but then the man would be gone before that, and you would never find him at all.

1992. Why should sailors be subject to these exceptional laws?—Because, as I explained in one of my first answers, the circumstances and conditions of the services are entirely different. There is no practical inconvenience to a man who is employing bricklayers, if one or two of them do not come to work in the morning, but there is very considerable practical inconvenience if three or four of the crew of a vessel do not come to [illegible]ment, because that vessel, in the case [illegible]st either wait in dock, or she must [illegible]ds and anchor, or the ship- [illegible]last moment go and hunt [illegible]e the place of those that are [illegible]which has come with

Mr. *Gourley*—continued.

subject the seaman to have to pay a larger discount for the allotment note than he would for the advance note?—I do not think so; I feel sure that that would not be the case.

1996. With regard to Clause 5, is it your opinion that the shipowners really want this Clause 5 at all?—Yes, I think they ought to have the power of arrest.

1997. They have no such power now, have they?—Yes, they have.

1998. Do not you think that the effect of the introduction of a clause of this kind would be merely to place the seaman in the hand of the crimp?—I do not think so.

1999. Clause 15 compels the captain to provide a proper look-out; do you think that it is possible for the captain to carry out the letter of Clause 15?—If his seamen are really able seamen then he might provide a look-out.

2000. Should it not be enacted that he should be bound to provide a look-out as far as practicable?—I think the look-out is of such importance, that I do think I should be disposed to qualify it in that way. I think there often is great neglect in not keeping a look-out.

Chairman.

2001. It is true, is it not, as Colonel Gourley has just said, that if the rest of the Bill were to pass, unless this Clause 5 was passed, the offence of absconding with wages would be wholly unpunishable?—That would be the case.

Mr. *Charles Wilson.*

2002. Would it not be necessary, until the sailor becomes a more reliable character, for the owner to advance money to him, in order t[illegible] get his ship to sea; and would not this rat[illegible] tend to compel the owners to take more in[illegible] the condition and improvement of th[illegible] ?—I think it would have that [illegible] use I think the owners then woul[illegible] old system of advancing money [illegible] on bo[illegible] to be

Tuesday, 19th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gorst.
Mr. Bates.	Mr. Gourley.
Mr. Bentinck.	Mr. Shaw Lefevre.
Mr. Thomas Brassey.	Mr. Macdonald.
Mr. Burt.	Mr. Plimsoll.
Mr. Corry.	Mr. Rodwell.
Mr. Dalrymple.	Mr. Torr.
Lord Eslington.	

THE RIGHT HONOURABLE SIR CHARLES BOWYER ADDERLEY, IN THE CHAIR.

Mr. GEORGE DUNCAN, called in; and Examined.

Mr. *Duncan.*

19 March 1878.

Mr. *Gourley.*

2005. YOU are a large shipowner, I believe?—A considerable shipowner, and a shipping agent.

2006. You come here this morning as the representative of the London Shipowners' Society?—Yes, I have been asked to come here by the General Shipowners' Society of London.

2007. You are also a member of Lloyd's?—I am.

2008. And I believe you were also a member of the Royal Commission on Unseaworthy Ships?—I was; the 1874 Commission.

2009. Will you tell the Committee the number [illegible]men annually shipped in the port of Lon[illegible] According to the return which I [illegible] from Tower Hill and Poplar, the nu[illegible] shipped in London, including ap[illegible] 641 during the year 1877. Of t[illegible] [illegible]rs, and [illegible] to wh[illegible]

Mr. *Gourley*—continued.

2013. Principally, you say, they are Swedes and Norwegians?—Principally Norwegians and Swedes. As a rule shipmasters take Norwegians and Swedes very readily.

Mr. *Bates.*

2014. And Finns?—Yes, and Finns; there are very excellent sailors from Finland. The foreign seamen that are on board t[illegible] far as my own experience goes [illegible] return), are generally from S[illegible] Norway, and a considerable [illegible] I have had Finlanders my[illegible] swain a Finn, one of the be[illegible] on board a ship [illegible]nd, as [illegible] re[illegible]

Mr. *Gourley*—continued.

pointed, is ranked, I believe, as a deserter, and therefore it would be of men of that character that these returns were composed; that is to say, parties who had signed articles, and who had failed to join the ship at the time appointed.

2019. That is to say, that a man who failed to put in an appearance at the time appointed, in accordance with the articles, would be looked upon as a deserter, but he would not be looked upon as a deserter unless he failed to make an appearance when the ship was ready to proceed?—I do not think that this return represents the men that do not make their appearance, but only those who could not be found, because the ordinary course of events is that the ship's owner or ship's husband gets the shipping officer's assistance, and with the help of a policeman goes and hunts the men up and takes them on board, so that this number, if multiplied by 20, certainly would not be the number that do not make their appearance when the ship goes; but they are got hold of with the assistance of a policeman and put on board the ship. I am quite sure that there are more than 3,000 or 4,000 men who sign articles and do not join the ship when they ought to join, and have to be sent to Gravesend or elsewhere. I should think probably there were between 5,000 and 10,000 such men, but there are certainly a very large number of men that have to be got hold of and sent on board the ship.

2020. Really, they are men who neglect to join their vessels and are afterwards hunted up by the Board of Trade officials and the shipowner?—Yes, with the assistance of a policeman.

[illegible]he Board of Trade do, I believe, [illegible]e shipping office, employ runners?—[illegible]ng master has an assistant whose duty [illegible] these men, as far as he is able, join the [illegible]t as he takes their address and knows [illegible]o be found, he is generally [illegible] finding where the men are, [illegible]board the ship.

Chairman.

2026. They do not do that before the time named in the agreement, do they?—Yes, I have had them before sometimes; when we have had four or five apprentices on board, and the officers are men who can manage the thing pretty well, and we are not too hurried for the loading of the ship, I get five or six of the seamen to go on board, and with the help of the apprentices and the officers we do bend the sails and make the ship ready for sea.

Mr. *Gourley.*

2027. How do the shipowners get their ships ready for sea in the absence of the seamen?—They are obliged to have it done by the stevedores, who employ a gang of riggers.

2028. And they have to do it at a much larger expense than they would incur if they could have their own seamen?—Certainly.

2029. Now, with respect to the Bill which is under the consideration of the Committee, have you any objection to the tenor of Clause 4, which seeks to apply the Employers and Workmen Act to shipowners and seamen?—I was [illegible]ted by the General Shipowners' Society [illegible] this Committee the fact that th[illegible] oppose this clause being intr[illegible] thought it would be very da[illegible] and would make it almost[illegible] shipowner to get his crew[illegible] and that it positively w[illegible] seamen.

2030. But seeing [illegible] London is concerned, [illegible] the habit of prosecu[illegible] selves from the w[illegible] desert, does it [illegible] much he[illegible] men[illegible]

uncan.
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1878.

Mr. *Gourley*—continued.

crew, and the officers, with the carpenter and boatswain on board, and then four or five riggers; and after she has got to sea with the jibboom hanging loose, the master or overlooker comes on shore with the tug, and he comes to the hard in front of the Custom House, where the sailors congregate, and they get the shipping office assistant who knows the men as a rule, who are under the ship's articles, and he gets a policeman, and he says, "Come Bill, you must get into the tug at once"; and if he does not, he collars him and puts him on board. Then they go round and say, "Tom So-and-so, and Bill So-and-so, is in that house," and they are put into the tug; and so they go on in that way until they have secured the crew, and then the steamer takes them out to the vessel. I have often said to my overlooker, "I wonder you venture to send the ship out." The vessel is out there without her full and proper crew; if a storm from the eastward came on, it will be very dangerous indeed. But he tells me there are no other means of doing it. I have kept the ship some[illegible]en the weather was bad lying a [illegible] Buoys, with the desire that the [illegible]n board and do duty, and they [illegible]ndeed, as a rule, the men who [illegible] the men in whose houses [illegible] want them to get sober [illegible]hip. If the sailor were [illegible]o his account and see [illegible] and their business is [illegible]ate in which he is in[illegible]unts, and seeing how [illegible]rge the seamen [illegible] are what are [illegible]?—They [illegible]ps,

Mr. *Gourley*—continued.

overlooker had the power of having them arrested by the policeman, and put on board; and if the sailor knew that all you could do was to take out a summons against him, very likely he would take his bag, and go over to Sunderland, and ship on board the first ship going to sea, and by the time the day came for him to appear before the magistrate he would be out at sea, and perhaps lighting his pipe with the summons.

2035. Do you not find that the seamen, as a rule, are as ready to fulfil their contracts or their engagements as other persons?—As a rule, the man reared a sailor, the man that has served his apprenticeship, and has been properly trained to the sea, is a very clever fellow, and can turn his hand to a great many things, and is a well-conditioned man as a rule.

2036. As a rule, seamen are even more intelligent than other classes of artisans, are they not?—As a rule, I should say so; but the unfortunate part of it is that what with the want of our having apprentices, and the great increase of shipping, and the demand for seamen, men go to sea as ordinary seamen possibly for one voyage, or it may be two, and then they ship as able seamen. Such a man is set to do something by the officer, and is found to be incompetent; the officer puts him to some duty that he finds he is quite incapable of doing, and the officer says, "You lubber, how did you come on board a-ship as an A.B., when you cannot do this?" Then there are disputes; but the evil comes from his having undertaken to fulfil duties he was incompetent to do. As a rule, from my experience as a shipmaster, and as a shipowner, these are the men that are discontented and t[illegible]e people on board of a ship. The man [illegible] the officer he is with is cogni[illegible]g of th[illegible] he is not able to fulfil his d[illegible]ies as [illegible] man, and therefore he is very a[illegible] the first place he comes to, [illegible] another ship; and so he k[illegible] one ship [illegible]

Mr. *Gourley*—continued.

is at the root of the deserting system?—I do not think that that is at the root of it; perhaps the seamen's habits are at the root of it; but that is one of the things that tend very much to increase the evil, in my judgment. The sailor gets an advance note, and he is obliged to find some one that will cash the note for him, and that of necessity takes him into these lodging-houses, or to these crimps as a rule, who cash his note for him; and therefore he very often gets but a very miserable amount of his advance note; and it is the interest of these parties that he should be put on board the ship before he is very well able to make counter reckoning with them in reference to it; and it appears to me that if the advance note was done away with and the sailor knew when he arrived with his money in his pocket, that he could put it in a savings bank, it would be a great advantage. One of our sailors coming from India, paid 3 *l.* 10 *s.* a month, as they have been having lately, will have from 27 *l.* to 28 *l.* in his hand. Now, it appears to me that if he was a wise man (and I endeavour to induce him through my overlooker to do this), he should deposit at least 10 *l.* of that in the savings bank at the shipping office; and then he could buy a suit of clothes and go and enjoy himself for a week or two with the other 18 *l.*; and then when he came back to look for a ship he would be independent of these people, and could live in a Sailor's Home or where he liked; but now if he comes home with money in his pocket, this man comes who cashed his note for him the last time, and the man gets quit of the money as soon [illegible]s possible; and he knows that if he incurs a [illegible]ttle debt they get out of it by having this advance note; whereas it appears to me if this advance note was not in existence it would free the sailor from a great deal of the temptations to which he is exposed, and the parties that now prey upon him would not have the same facility to do [illegible]. When he has got his money in his pocket and is sober, he is an intelligent man, and can take care of himself.

2040. Do you think that in the absence of an advance note the chances are you would get the seamen to join the vessel in a better condition than at present?—Yes, I think it naturally would have a tendency to make them more provident. Feeling that he had not this advance to rely upon the seaman; would consider, "Now, I must take care of a bit of this, because otherwise I shall have nothing to start with on the next voyage."

2041. I believe in the coasting trade that advance-note system does not exist?—As a rule it does not, I believe; and I may say that when I commanded a ship myself, as a rule the men did not get advances; I did not give them advances.

2042. In the foreign trade?—In the foreign trade.

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2043. The West India trade?—First, when I commanded a ship I used to go from Dundee to Charleston, in America, and then come to Liverpool, and then go with a cargo of salt to Pernam, and then bring flax to Dundee, and then go to Narva. I have made four voyages to the Baltic and a voyage to America in the year with the same crew.

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2044. In those days you engaged men on board your own ships?—Yes; every one of these men remained all the voyages with me.

2045. Do you find that the men now engage themselves at times on board the vessel, or, as a rule, always at the shipping office?—It is never done on board of the ship, as far as my experience goes; we have a certain number of men who offer to go in one or other of the ships, and therefore they go down to the ship, and on coming there see the master of the ship and get themselves engaged; but, as a rule, the whole engagement is done at the shipping office.

2046. Now in Clause 6 I believe you have some objection to make to something in that clause in regard to the power which is proposed to be vested in the magistrates when seamen make complaints against the seaworthiness, or otherwise, of the ships?—Yes, the General Shipowners' Society were very desirous that the first part of the clause in both Clauses 6 and 7 should be altered; that in place of having "joined his ship," it should be "after having signed articles;" they do not see any reason why the discipline clause should be altered, or if not from that time, from the time that he was told that he was to join the vessel.

2047. In regard to Clause 9, which gives the seaman power to raise an objection to going to sea in his ship, and to raise the question of unseaworthiness, I believe that your society consider that it would be placing an undue power in the hands of an individual man, and you think that this clause ought to be altered?—The shipowners consider that the seaman, after he deserted, would be all but sure to find some excuse for having done so, and the most read[illegible] thing that would occur to him would be to [illegible] that there was something wrong about the [illegible] and the law as it now stands has very judi[illegible] provided that he shall not be warranted i[illegible] a complaint of the unseaworthiness [illegible] unless he had done so before deser[illegible] not want to take away from the [illegible] lege he had before deserti[illegible] after he had deserted he sh[illegible] privilege to put the shipo[illegible]

2048. You think that [illegible] unseaworthiness the alle[illegible] by a plurality of seamen [illegible] vidual seaman?—What the s[illegible] willing to have is that it shou[illegible] the crew, or at least four or fiv[illegible] the rest of the crew were con[illegible] would be a sort of proof tha[illegible] anything very seriously the[illegible] perhaps nothing at all [illegible]

2049. Now, upon [illegible] clause, you have, I [illegible] part of the clause a[illegible] to tell the Commit[illegible] that?—The objec[illegible] owners' Society h[illegible] reading of this he[illegible] to be paid by the[illegible] from the seaman; [illegible] money only to be [illegible] deducted from wages [illegible] to be made liable, [illegible] clause, to pay the [illegible] very possibly, th[illegible] place he get to, a[illegible] They wish added [illegible]

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paid over when earned, and deducted from wages." The Board of Trade might order the captain to deduct it, and he might never have an opportunity of doing so, and still they would require the owner to pay the expense of the survey.

2050. You want such words introduced as would protect the owner, in the event of the seaman not having any wages to receive?—Yes; shipowners are afraid that they would be obliged to pay it over, whether they got it from the seaman, or otherwise.

2051. Will you be good enough to look at Clause 15; Clause 15 makes it imperative on the captain to place a proper look-out; should not that be "a proper look-out so far as practicable"?—The General Shipowners' Society did not take any objection to this whatever, nor do I see any objection to it myself.

2052. Do you think it possible that the captain can, within such positive terms, always have a proper look-out?—Yes, I think that he can, and that he ought, and that no vessel ought to be navigated without a proper look-out.

2053. Do you think that line 15 of this clause, which makes it imperative that the seaman or apprentice should always be awake on duty, is a rule which is possible to be carried out at sea?—Certainly, he ought to be awake when he is on the look-out, and he ought to be awake when he has any important duty to attend to; but it is quite a common thing to allow the sailors to sleep in good weather; they speak about it themselves as caulking; that is, they choose the softest plank and lie down upon the deck and sleep, and there is no reason why they should not.

2054. It strikes me that if the letter of this [illegible] were put into operation, a seaman, if found [illegible] a pipe of tobacco, would be treated, in [illegible] of some masters, as neglecting his [illegible] not think that any evil result would [illegible]n from that clause; I think it is [illegible] and I am very glad that the [illegible] seen their way to put in a [illegible] I think many lives have [illegible] seamen being allowed to [illegible]out; that a good many [illegible] men not having seen the

[illegible]nk that from your experi[illegible] and shipowner, the present [illegible]n reference to seamen are not [illegible]—I do.

[illegible]hink this is necessary in order [illegible]keep a better look-out than [illegible]habit of doing?—Yes; [illegible] the crew of that ship [illegible] men used to be on [illegible]keep an eye to see [illegible]y properly, and if [illegible]would call "near, [illegible]w known a man, [illegible]ltic, and we were [illegible]r duty to keep [illegible]ve looked to see [illegible]re ship or not, sing [illegible]on the lee bow, sir?" [illegible] was not overlooking [illegible] on the lee bow, and [illegible] if he thought she [illegible]s doing his duty [illegible]n of whoever had

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charge of the quarter deck to this vessel on the lee bow; he was looking out as well as you. That was the kind of look out that we used to have in those times.

2057. You think that Clause 15 is essential not only as against the master, but also as against the seamen?—I do. I think the penalty is unreasonable in stringency against the officer compared with what it is as against the seaman. It looks hard that a second officer, for instance, who has, perhaps, 2 *l.* or 3 *l.* a month more than the seaman should be fined 50 *l.* for failing to see that the man was put on his look-out, and that the other man's penalty, the consequence to him, should be so very much less stringent.

2058. Is it not the fact that the second officer is the man who generally commits the greatest number of mistakes?—Well, I should not say that. I should say that very often the second officer is, perhaps, a more diligent man in the fulfilment of his duties than the chief officer is; the chief officer has got a little more experience and is apt to be careless; many of my young second officers I would trust quite as much as any chief officer. Their wages are not high, and if they fail to overlook fulfilling a duty it looks a very stringent clause against them compared with the seaman; because the neglect is as much on the part of the seaman as on the part of the second officer.

2059. Do you approve of the alteration proposed to be made in Clause 22, granting the shipping master power to settle disputes as between shipmasters and seamen?—I do; and I am instructed by the General Shipowners' Society to confirm that as stringently as possible. The only wish that they have is that some word should be put in to compel, if it were possible, the shipping master to settle the question up to 5 *l.*, and not too readily think it was a question for a court of law; their judgment is that the shipping master knows better than the magistrate in cases of disputes between the master of a ship and the crew, and that therefore up to 5 *l.* he should be required to settle it, and that he should not too readily consider it a question of law, but settle himself.

2060. You would make it positive that the shipping master, in all cases of dispute between owners or masters, and seamen, should be made imperatively the judge between them?—Unless there was some delicate question of law as provided here, that he should absolutely settle all these disputes.

2061. I think the main object of the clause is to avoid legal disputes as far as possible, and to have them settled independently of law?—Yes; the shipowners were perfectly cognizant of that, and all that they wanted was, if it were possible, to put in such words as would make it still more imperative upon the shipping officer not to go readily upon questions of law, but to settle the question off-hand.

2062. I believe you have something to say in reference to the entry in the official log-book which arises on Clause 23?—Yes; the General Shipowners' Society were of opinion that it was a very undesirable thing to make these entries in the log-book, and read them over to the seaman; that the reading of them over to the seaman almost in every case made that man a disloyal man to the end of the voyage; that he was marked as a black sheep to the officers and to the

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the rest of the crew; and that it had a most injurious effect in every way, and that practically it was really of no service whatever, because it was not taken as proof against a seaman when the case came to be tried; the case had to be proved by witnesses before the magistrate before anything could be done to the seaman, and therefore it would be very much better if a regulation was made, if it was thought unfair to the seaman that he should be logged for faults which he may have forgotten all the circumstances of, and when he could not produce witnesses to defend himself, that it should be signed by the officers of the ship, as well as the master, some regulation whereby it should not be publicly read to the man in presence of the crew, because the practical effect of that is to make that man disloyal for the rest of the voyage as a rule. Every witness that came before the Royal Commission, without exception, bore evidence to that, and my own practical experience is entirely in that direction.

2063. You think that the present system is against the interests of the seamen?—I think it is against the interests of the seamen, and it is against the interests of the officers, and against the interests of the shipowners. A seaman is then very apt to desert when he gets to a foreign port. He says, "I am logged, and I do not want to be brought up before a magistrate when I come home," and so he runs away to another ship.

2064. But you would not leave it in the hands of a master to enter his own views entirely against the seaman in the log-book; you would require the evidence of some of the officers on board the ship?—Yes, I am quite prepared to allow that any entry that was put in the log-book against the seamen should be certified to at the time by, say the captain and the two officers.

2065. What you object to is having the delinquencies, or alleged complaints against the seaman, read out before the other seamen?—The statement made to us before the Royal Commission was that, as a rule, the result of it was that the sailor, when he was called to hear this read to him, said it was a lie; that was the usual answer that they gave.

2066. Clause 25 relates to smuggling, and I believe you have some amendment to propose in reference to that clause?—Yes; the General Shipowners' Society thought that the clause should be amended in this direction, that instead of the words "If a seaman" there should be inserted, "If a master, seaman, or apprentice to the sea service," and so on, to the fourth line; that the word "master" should be put out there, and in the fifth line it should be made "owner of a ship;" the feeling being this, that it is the owner that suffers in consequence of the crew, or the master, smuggling, not the master that suffers; as a rule, he does not suffer at all. If the ship is arrested, the delay and expense fall upon the owner, not upon the master; and often enough the master is the person who smuggles as readily as the crew, when it occurs.

2067. In your opinion, the law which now regulates smuggling requires an alteration, not only as regards the owners, but also as regards the masters and the seamen?—Yes, it does.

2068. But I suppose you are aware that the present law is a very arbitrary law, leaving the magistrates who have to adjudicate upon all the cases of smuggling, without option; that is, they

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are bound to inflict a fine of a fixed amount, and they cannot deviate from that in accordance with the present law?—That I understand; 100 *l.* is, I believe, the fine for smuggling, and I believe three times the duty on the value on the article.

2069. You think that the law in reference to smuggling requires revision and alteration?—The General Shipowners' Society thought that this was a very good clause if the master was included as well as the crew; that if he should smuggle he should be liable to the owner to make good the same as the crew would be.

2070. I believe you also have an amendment to suggest in reference to Clause 26?—Yes; the General Shipowners' Society thought it was very desirable that the clause should be amended.

2071. Will you be good enough to state what your amendment is?—The amendment in that clause would be in line five, after "seamen lawfully leave the ship at the end of their engagements;" they would suggest that it should be altered to "shall be actually discharged."

2072. In other words, that before the clause should be put in operation, you think that th[illegible] seamen should have been actually discharged [illegible] the shipping office?—The shipowners thought [illegible] would be better if altered to the wo[illegible] "shal[illegible] have been actually discharged;" that the crimp should be kept on shore until they had been actually discharged.

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2073. Will you look at your figures again; you said that 61,641 men were shipped in 1877, and of those, 26,958 were in steamers and 21,296 in sailing ships, and 2,488 apprentices?—Yes; but I see that I omitted to give you 11,259, the men in sailing vessels who were shipped at Tower Hill, 26,598 were the officers and men shipped on board the steamers; there were on board the sailing vessels at Tower Hill 11,259; then 21,296 (they did not give me, at Poplar, whether they were sailing or otherwise; I got them both together there); and then 2,488 apprentices. I believe that will make up the number of 61,641.

2074. I think shipowners generally consider Norwegians and Swedes and Finns are very first-class men?—Many of them are very good sailors indeed, and very obedient.

2075. You say that in 1874 there were o[illegible] 409 deserters, but you say also that if your [illegible] looker had not the power to go into these l[illegible] house keepers' places and public-houses [illegible] the rest of it, to get the men and pu[illegible] board, you would have had, perhaps [illegible] to 10,000; you cannot say exactly [illegible] I believe there would be from [illegible] men returned as men who had [illegible] at the time they were require[illegible]

2076. Is that the only arr[illegible] in England, at present g[illegible] with a policeman or ru[illegible] be, and getting the m[illegible] That is the only arres[illegible]

2077. I think you [illegible] your evidence, and [illegible] have it corrected; [illegible] engaged to bend t[illegible] have said riggers [illegible] reference to th[illegible] London are b[illegible]

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undertakes to stow the cargo undertakes, for a certain amount, to bend the sails and make all ready for sea; he keeps a staff of men for doing that special kind of work. As a rule, it is done by the lumper; the stevedore, perhaps, he should be called.

2078. Do n[illegible]ink it would be to the shipowner's i[illegible]ould get his men, after they have [illegible] have them on board a day or [illegible] sails, and at work?—Mo[illegible]

2[illegible]hipowners would be v[illegible]re possible?—I should [illegible]

[illegible] is possible to keep a [illegible]e days before sailing? [illegible]ve tried it on several [illegible] accomplish it. I [illegible]

[illegible]

2083 [illegible] opinion th[illegible] I think they [illegible] evils we have [illegible]

2084. Now, wh[illegible] them?—I would su[illegible]

2085. You say th[illegible] could be done away w[illegible] their money in a bank [illegible] fit themselves out when [illegible] again?—I think they could be don[illegible] with without their doing that. The natural consequence of doing away with them would be to induce them to do that.

2086. You think sailors are provident enough for that?—I think the fact that they had not a resource of this kind to fall back upon would necessarily induce them, like other people, to provide for their necessities.

2087. Now, in your experience, you have brought home distressed seamen from India, have you not?—Yes.

2088. What would you do with those men who [illegible]d not a shilling in their pocket when they are [illegible]ed; what is to become of those men if they [illegible]ot an advance note?—If these men come [illegible] health and have their clothes with them, [illegible] reason why they should not ship the [illegible]nd they could not run themselves [illegible]t, and go to work as other people do. [illegible]am speaking of cases where dis[illegible] landed from the ship and per[illegible]pitals; you know very well [illegible]nded not in good health; [illegible]those men if there are no [illegible]ay have to go to the work[illegible] who are unwell and not [illegible]ves, but I see no reason [illegible]

[illegible]annot do like a lands[illegible] two and say, "Give [illegible] Why should he not [illegible] be very glad to [illegible]lor could go and

Mr. *Bates*—continued.

2091. Or he might break stones on the road?—Yes, he could do many things, but he would have that at hand.

2092. You say in the coasting trade advance notes do not exist?—So far as I know they do not. I have coasting vessels coming backwards and forwards to my [illegible]d I never knew a case where they eve[illegible]nce note.

2093. But have [illegible] money?—No.

2094. They n[illegible] with their families [illegible]

2095. To [illegible] the best of [illegible]

2096. [illegible] is gener[illegible] own k[illegible] again [illegible]

2[illegible]

[illegible]es. In speaking of this [illegible] that the abolition of it would be a great [illegible] to the family. At present a man gets an advance note, and even if he is a married man, unless the wife is resident at the place, they manage to take a good piece of it from him, and he is tempted to dissipation, and the woman gets no pay for two months; whereas if he did not get an advance, her pay would commence in one month. I have said to my people, "Why should you not dispense with your advance note, and let your family have the half-pay for the first month?"

2100. Well now, would it not be very possible when the wife got the allotment note for one month, and would it not be quite as easy for her, by putting her name on the back of it, to get it discounted, and give the money to her husband; perhaps you have never thought of that?—I should think that that would be an operation that the wife would not be very ready to go into.

2101. You know sailors' wives are like other people's wives, when the husband is in a mess they very often exert themselves a little to get him out of it?—But we are endeavouring now to keep him out of the mess, and therefore we should not think of the woman, providing that if he did not get the advance, she knew that it would be her duty as well as his to endeavour to husband something out of the money she got for the time when he came home, so as to start him again.

2102. But still that is possible, to be done?—It is possible, no doubt.

2103. And legally, by endorsing the note over to a bank, for instance?—I am not prepared, not being a lawyer, to say whether that would be legal or otherwise; it looks to me a questionable

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able transaction that the woman should go and pawn a document which said that she could receive in a month's time a certain amount of money.

2104. I suppose you know there are such things as six months' bills; a man very often pawns them?—He discounts them sometimes.

2105. Do you think there would be anything improper in her discounting, if she found her husband in trouble, and his kit in the lodging-house?—I would take all the risk of that operation being performed, seeing that the wife has a hand in it.

2106. How does a master of a ship generally engage a crew; does he not, some 10 or 12 days beforehand, let it be known that he is going to sail at a certain time, and Jack goes on board and produces his character, and the master says, "You appear at the Sailors' Home at a certain time, and I will take you"?—As a rule that is done as far as possible; in some instances they are obliged to go to the Sailors' Home and just take their chance.

2107. If they cannot get the number that they want in that way which I have described?—Yes.

2108. I think from what you stated (it was not quite clear), you think that if a sailor or sailors state that a ship is unseaworthy, and on a survey being held she is proved to be seaworthy, the owner should in no case be called upon to pay the expenses of that survey?—Certainly not; he suffers enough by the detention without having to pay for the survey; it is a grievous evil to him.

2109. Do you give advance notes to your crews?—Yes, I am obliged to; I cannot get them without them.

2110. Do you know any place in London which takes these advance notes; do you know what is done with them generally, or frequently?—I do not know what becomes of them generally, but my overlooker told me this morning, I was asking him the mode of operation of crimping here in London; I did not know myself individually, for I do not come in contact with it, and I asked him this morning how that sort of thing was managed; he said, "It is a very vicious system; we had the 'Sunbeam' going away a little time ago; when she got to Gravesend she wanted two seamen; the master came back, and I went down with him, and we tried to get these two seamen; but we could not find them; then we went to a house where sailors were to be found, and the lodging-house keeper wakened up a man lying on a chest-head in a half-stupid state, and said, 'Jack, do you want to go to sea?' He said, 'Yes'; he had lain down in the streets and lost all his money last night, and he wanted to go to sea; and he said, 'Will you give me an outfit?' Yes, he said, he would;" and my overlooker said as he went out, this lodging-house keeper called over his runner, and said, "Go and get him an outfit." I have written down here what he said; he said to him, "You go and get two bars of soap, and a dozen boxes of matches, a tin pot, and a pannikin; and you come in half-an-hour and we will have the seaman all ready." He said, "We went in half-an-hour, and the seaman with a little bag in his hand joined us, and we went away down to Gravesend"; so that the poor fellow had lost his 3 *l.*, and this was all he got out of it.

2111. Where had he lost it?—There was an

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advance note given to this man he was lodging with; and that was all he gave him, these two bars of soap, and so on.

2112. Do you know whether there are any small banks of any kind in the neighbourhood of London which cash these advance notes?—All I can say is that as a rule we do not get these advance notes presented to us by a bank; I do not remember any case of their being presented by a bank; but my cashier may be able to say in reference to that. My own experience is that these advance notes are brought to us by the lodging-house keepers, and sometimes by very respectable men who know the man, and advance him the money, and come and get it from us.

2113. Would you be surprised to find that there are banks in London that cash these notes regularly?—I would not.

2114. Do you know whether the authorities at the Sailors' Home ever cash these notes?—I believe they do sometimes, and I think that is a very kindly thing to do; they know the men and have them backwards and forwards, and that is one of the best remedies there is at all for this great evil.

2115. Now, since I have been in this room, I have had these advance notes, which I hold in my hand, sent to me, and I find, in every case (there are five slips in 1877-8 to which they refer), they have been discounted by a bank, the Maritime and Central Bank Victualling Office, Tower Hill?—Five notes is not very large out of 61,000.

2116. This is only for four ships?—Yes, but that is one note out of each ship.

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2117. Have you ever heard of such a bank as that alluded to by the honourable Member for Plymouth?—No.

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2118. Now, can you tell us whether these advance notes are legal; we heard in this Committee that these advance notes never bore a stamp; do you know whether they do, or not?—I do not; they are sufficiently legal to bind me. If I have a return that the man is on board I should feel that the man had a perfect right to prosecute me if I did not pay it.

2119. You are compelled to pay it if the man is on board doing his duty?—Yes; at one time I believe they were illegal, and could not be prosecuted upon, but that has been altered.

2120. Now, here is an advance note, as follows: "Three days after the ship 'Calabria' leaves the Downs pay to the order of W. White (provided he sails in the said ship, and is duly earning his wages according to his agreement) the sum of 3 *l.* 15 *s.*, being one month's advance," and that note bears a 1 *d.* stamp. (*Handing it to the Witness*)?—Yes; I could not say as to whether this would be a legal tender.

2121. Now take Clause 25. "If a seaman or apprentice to the sea service commits any act of smuggling," &c.; you would wish to put in, "If a master, seaman, or apprentice," is that what you want?—Yes, it is.

2122. Now in Clause 26, "Where a ship is about to arrive, or has arrived at the end of her voyage, every person not being in Her Majesty's service," and so on, do you not think it would be a far simpler plan if it was that the ship was

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moored in dock?—I think it certainly would not do if it was that the ship was moored in dock, because that is the time, as a rule, that they come on board and inveigle the sailors. I imagine that what the law wants to provide, is that the seaman shall get as much money as necessary in his pocket and shall step on shore an independent individual, and then choose for himself the house that he shall go to.

2123. How is he to have his money in his pocket before he goes to the shipping office?—He gets now part of his money. I provide that my sailors when they are told, "We do not require your services further," shall get a couple of pounds with them.

2124. I am now talking of their wages?—They do not want the whole of their wages, and I think it would be a great pity if they got the whole of their wages then.

2125. I am sorry to say I think the same; but, however, I do not see how we can avoid it, unless we treat them as children; but do you know, as a rule (I am not talking of your ships individually), when sailors generally leave a ship when she arrives?—As a rule they leave the ship as soon as she is moored in the dock.

2126. Do they go into dock with her, the East or West India or Victoria Dock; do they get as far as that generally?—I think so, generally.

2127. Do you never have cases where a ship cannot get into dock for a week, and Jack says, "Will you pay a rigger in my place for a week and I will pay the amount for you?"—I never heard of that being done; the cases we have here are of ships drawing great draughts of water, and we are obliged, perhaps, to moor them to the Blackwall buoys till the tides are high enough. As a rule a seaman is discharged there; he would not continue to work after he has arrived at the end of his voyage, and therefore the mooring to the buoy is made the end.

2128. If you had it "moored in dock," would not that make it impossible for the crimps to come on board?—I do not think it would make any difference.

2129. Do you think it would make no difference if the law was that the crimp could not go on board until the ship was in dock?—I do not think it would be any different from what it is now; I think in the case of all vessels in the river or under the control of the captain and the officers, he can keep anybody out of them that he thinks proper.

Mr. *Burt.*

2130. You object to Clause 4, which applies the Employers and Workmen Act, 1875, to seamen?—I do; and I may say that the society that I come here to represent, unanimously objected to this, and thought that the result of it would be very disastrous both to the shipowner and to the seamen.

2131. You have already shown by your evidence that there are comparatively few cases of prosecution for desertion or refusing to join the ship, and I understand you rely more on its deterrent effect than simply as a means of punishing?—I do; and the power that it gives to a shipowner and his overlooker to do the kindest thing to a man after he is shipped, and possibly has his clothes on board; that is, to get hold of him and put him on board the ship.

2132. Now, do not you think that when the law has practically become a dead letter, or

Mr. *Burt*—continued.

nearly so, its deterrent effect is considerably weakened?—My experience is that it has not become a dead letter in any shape whatever; we scarcely have a ship go to sea, but what we exercise that power; we do not exercise the power in taking the man before the magistrates to have him prosecuted, but we exercise the power to cause the man to go and join the ship.

2133. Although the portion that allows imprisonment is not put in operation, the part which allows the seaman to be taken on board is put in operation, and used to a very considerable extent?—To a very large extent.

2134. You have already described the method by which the seamen are taken on board, with the assistance of a policeman, and so on; is it usual for the seaman to be drunk at the time that he is taken on board?—I am sorry to say that in very many instances they are the worse for drink. I might give you a case in point where it was very distressing to myself. I had a little ship of 600 tons going out of the Saint Katherine's Docks, a nice teak ship, going to the Cape, nicely loaded with a light cargo. I had taken the topgallant forecastle off her, and built a house upon the deck for the crew. I had the house comfortably fitted in every way, with lockers for their provisions, and a table to lift up and down, and made the thing as comfortable as I could, and had supplied that ship with a good supply of books, as I do most of them. I went to Mudie's Library, and spent 7*l.* or 8*l.* upon "Livingstone's Travels," and "Stanley's," and a number of interesting books for them; and I thought I would go down and see this ship go out, and I went to the Saint Katherine's Docks to see that ship go out. When I went down, the ship was hauling down the dock, towards the lock, and the most part of the able seamen were on the pier-head; and when she got into the lock I was very desirous that these men should go on board; indeed, I urged that they should go on board; they would not go on board, and I was almost ready to lay hands upon them, and put them on board, when my overlooker said to me, "You had better let them alone, sir, they will only insult you." They would not go on board, and the tug came and took hold of that vessel, and took her into the stream. There was a strong tide running, and the pilot stopped the steamer, and there my ship was left without being under command. These 12 or 13 men got into a wherry, half drunk, and went off to that ship, and nothing would satisfy them but that they should give three cheers when they got alongside. I stood trembling, lest the craft should be capsized, but they scrambled up one way or another, and so they got on board the ship. I felt, What can I do for these men? I have done all I possibly could, and when I come down with a view of saying, "I hope you will behave yourselves, and bring the ship home in good order," this is all I can make of it. Having done everything that I could for the comfort and the improvement of my sailors, from the evil of their having got this advance note very much, and their being in the hands of people whose object it was to make them drunk, and have them sent to me drunk, I could make nothing whatever of them. I daresay if the men had had time to be sober, they would have been sorry for having done or said anything to me improper, but they were in a state that you could not do anything with them.

2135. After the manner in which you have given

Mr. *Burt*—continued.

given your evidence here, I think I need hardly ask you whether you consider that an entirely satisfactory state of things, and whether that, in your opinion, conduces to the safety of the crew, and is likely to be more agreeable to the more sober and the better class of seamen?—That is to say, the men going on board at the pier-head in this way? I think it is very bad indeed, and a most dangerous thing. The time I have any fear about my ships is the first day or two when they leave here, and I never send a ship away, even for a coasting voyage, without sending a pilot with them, so that they have two men reliable on each watch; because you can hardly rely on men going on board in a state like that, to keep a proper look-out to know if they saw a red light, what it meant, or anything about it.

2136. You have expressed a very good opinion of the seamen generally, and I was very glad to hear you express such an opinion; now do you not think that if this law of imprisonment for refusing to join the ship, and the power of arbitrary arrest were dispensed with, and if the advance-note system were also done away with, the power of crimps would be considerably lessened, and also the power of those who prey upon the seamen, and that this would tend very much to lessen the difficulty of getting seamen to join the ship in a sober state, which is certainly very desirable?—I do not see how it will help the shipowner to get his seamen out of the hands of any parties that had them in their charge in any way, for the reason, that if the seaman was not put on board the ship, he would very likely be shipped on board of another ship; that is a common enough thing. Although the boarding-house keeper has got an advance note from you, that goes for nothing; if that ship does not go and start immediately, he ships them on board of another ship; he wants to get them away while he is in that state; he does not want him to be sober when he parts with him, because he would be able to have counter-reckoning with him, and see how he had been robbed, very possibly.

Mr. *Bentinck.*

2137. With regard to a question put to you by the honourable Member for Plymouth; I understood you to say that it would be an advantage if the men could be kept on board after signing articles, and before the ship went to sea?—Certainly, I do think so.

2138. But that you believe it to be impossible to keep them?—I have found it to be quite impracticable, and think it to be impossible.

2139. In your opinion, does the difficulty which you speak of, in keeping men on board under those circumstances, arise from the state of the discipline clauses as they now stand?—To a very considerable extent it does, no doubt, because the man is not punishable, as a rule, at present for anything but for desertion and for an act of mutiny; there is nothing that he can be punished for, as a rule; he does almost anything he likes; at least, that was so until the deputation went to Lord Beaconsfield last year. I believe that the thing has been greatly improved since that time, owing to the very fact that it was declared that the authority of the shipmaster must be supported, and that the men must be made to do their duty, and to obey the necessary and lawful orders of the master. They had got into a state, that sailors would do nothing

Mr. *Bentinck*—continued.

at all, and unfortunately the magistrates took a very lenient view of the case when it was brought before them.

2140. Then, in your opinion, what would be the alteration in the discipline clauses which you would suggest to meet the difficulty?—I think the discipline clauses that are here are very good indeed. The General Shipowners' Society, the very large body that met last year in London when the Bill was before Parliament, were most desirous to have these discipline clauses inserted. They have been in a former Bill, the Bill intended for consolidating the Merchant Shipping Acts, and they are most desirous to have these; but the Government, or the parties they saw, vere very desirous that these should not be pressed on them, because it might endanger the Bill; but they feel it very essential for the mercantile marine of this country, that something should be done for enforcing discipline on board ship, both in the interests of the shipowners, and of the officers, and of the crew themselves.

2141. Then you would consider that the power of summary arrest, after the time of joining mentioned in the articles, would be a benefit both to the shipowner and to the ship's company?—I do think it most essential. The men that have shipped would be put on board, as a rule, as they are now. In place of that, if you could only get a summons for a man to appear two days hence before the magistrate, someone would be put on board in his place.

Mr. *Corry.*

2142. I presume that the case you have described to the Committee of getting the men on board that ship of yours is not an exceptional one?—It is not.

2143. The fact is that scarcely a crew is put on board a ship without some men being obliged to be put on board by force?—Nearly so. The fact that the seaman knows that the master of the ship, and the ship's husband, have the power of using the law against him, that is to say that he can be arrested by a policeman and put on board, and the fact that he sees he is in that position makes him go on board; but he would not until that sort of operation was performed.

2144. And you think it would be a very unwise proceeding to take away that power?—I think most unwise; and the shipowners, whom I represent, were unanimous about that, both in the interest of the shipowner and of the crew.

2145. Do the crew ever make any objections when they come home to having been put on board in that way?—Never.

2146. Do you ever hear of a case of insubordination on board from their having been put on board in that way?—No.

2147. Very frequently the men's clothes are on board, I suppose?—Yes; and the man would feel it was a great kindness really to put him on board.

2148. And if the ship were to go to sea without him he would lose all his clothes?—Very possibly he would lose all his clothes.

2149. I think you said you did not approve of the entries in the log book being read to the men?—No; I think that the effect of that is very injurious.

2150. With reference to the allotment note,

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you think that it would be a very much better system if the advance note were done away with, and the sailors would take an allotment note instead of it; have you ever found that by offering a higher rate of wages per month, you can induce men to do without the advance note?—I do not know that I have ever done that; but that is regularly done to my knowledge; that is to say, shipowners like Messrs. Rankin, Gilmore, Strang, & Co., have their vessels going to British America, and in the autumn they want to get rid of the risk of men deserting, and they give them 10*s.* a month extra, and have no risk about getting crews.

2151. We have heard that there are a great many foreigners now amongst the seamen that are shipped in London and Liverpool, can you tell us what the report of your captains is with reference to the conduct of these men?—The report of the captains in reference to the foreign seamen that we have is, as a rule, that they are much more amenable to discipline, but, as a rule, that they are not as practical and as hardy seamen as our own are, excepting the Swedes and the Finns, and a few of those seamen; that our own sailors are practically really better sailors than they are, only that they are so unmanageable that they are not amenable to discipline at all scarcely.

2152. Are you aware whether it is with the British seamen, or the foreign seamen, that the trouble is in getting them on board?—I have no experience in reference to that. I should think that the one follow the other; that they are all shipped through these lodging-house keepers; but, as a rule, I should say that the foreign seamen goes on board more readily than the British sailor does. I have had Swedes and Norwegians working on board for some days before sailing. These men that we got to help the boys when we bent the sails, with the lads and a few hands, were generally foreign sailors in the harbour that were willing to come and do that when they had signed the articles and were going in the ship.

2153. Supposing that a ship is going to sea at 12 in the day, and you order the men to be there at six in the morning, do you ever find them there at the hour when the vessel should sail?—No, scarcely ever; even if you order them the day before, which I generally do.

2154. In a case where, from contrary winds or some other reason, the ship is not able to leave the dock at the time you instructed the men to [illegible] on board, do you ever find that they do go on [illegible]?—No.

[illegible]. And yet you are bound to provide for [illegible] together if they do go on board?—Cer-

[illegible], as a rule, they do not?—No, they [illegible] the pier-head, and go back with [illegible] brought them.

[illegible]fer going to the lodging-house [illegible]ship and being provided for

[illegible] your opinion in reference to [illegible] seamen are engaged; do you [illegible]sent system is the best that [illegible]?—I think it would be very [illegible]Board of Trade saw their way [illegible]e shipping of seamen should be [illegible]either at the shipping office or on [illegible]believe that it is a very great [illegible]me shipowners; it would be to

Mr. *Corry*—continued.

me, in many instances, a boon, if I was allowed to ship the crew on board. I think we should get a better crew; that the men would come and see the officer, and the ship, and what sort of accommodation they had, and so forth, and that we should be likely to be able to arrange better and more comfortably.

Chairman.

2159. Are you not aware that that arrangement can be made, and is made, by all the great lines in Liverpool?—In steamers, I believe, but not on board the sailing ships.

Mr. *Corry.*

2160. You would wish to see that extended to sailing ships?—I would, the option.

Chairman.

2161. You think that the arrangement which is made in Liverpool, in the Great Atlantic lines, should be more generally applied?—I think it would be a great advantage; I think that it is quite desirable that the men should be paid off before a public officer; I would not give any option in reference to that, but that the option should be given of shipping the crew, either on board the vessel, or at the shipping office.

Mr. *Corry.*

2162. And you think in that way, if I understand it, you would get a better class of men?—Yes, I think so; and if there was no advance note, I think the chances are that the men might be willing to come and work on board the ship for a few days, and bend her sails.

2163. And you think that the officers and crew would know one another better than by the men just jumping on board when the ship is clearing the pier-head?—No doubt they would.

2164. Do you find much trouble with your ships going away from the docks short-handed, and putting men on board at Gravesend?—Almost in every case we have a certain number to put on board at Gravesend, but in every case we have not to get men at Gravesend. I send away a clerk and my overlooker, and they hunt up the men and take them to the railway, and then take them down to Gravesend; almost with every ship we have to do that.

2165. Do you find that lodging-house keepers give you any assistance in doing that?—In some instances they do.

2166. I will ask you one question with regard to apprentices; you have read the clause in the Bill with regard to apprentices, and the discharge of apprentices if they are inefficient, do you think that that fully meets the necessities of the case; do you think it would be very desirable, if you get a bad apprentice, that you should be able to get rid of him, whereas now you cannot?—It certainly would be desirable, but my experience has been that we have scarcely ever required that. If a lad turned out to be disqualified from becoming a sailor, as a rule, either he or his friends were willing that he should go. I have never found any difficulty in reference to that.

Mr. *Plimsoll.*

2167. In the case you refer to, of a ship of your own, where you had taken pains to make the men comfortable, and found them tipsy on the

Mr. *Plimsoll*—continued.

the pier-head, I suppose they would not have been tipsy, and probably not unreasonable, if it had not been for the advance note?—I think the advance note had a great deal to do with it, probably.

2168. Does it not strike you as very extraordinary that common lodging-house keepers and people of that kind should have so much confidence in the sailor's honour as to cash these advance notes, when they depend entirely upon his honour to get the money back?—You will see that they are not quite dependent upon his honour, seeing that the shipowner has the power to employ a policeman to put him on board, and they take care to bring him within the cognizance of the shipowner.

2169. It follows that if that power to arrest were done away with, the advance note would itself be destroyed, because there would be no means of obtaining cash for it?—To some extent that would be the case.

Mr. *Macdonald.*

2170. You stated, I think, that in 1874 there were 409 deserters?—That was what we got from Tower Hill. I sent my overlooker to make this inquiry, and the return I got from Tower Hill was that there were 409 deserters in 1874.

2171. How many of these deserters would have had advance notes?—I think very likely all of them.

2172. You state that with the power you now have, you put on board (speaking roughly; of course you are not able to say whether it is correct or not) 10,000 men?—I think I said from 5,000 to 10,000.

2173. How many of these men will have got the advance note?—Nearly all of them.

2174. Really, will not all of them have got it?—The men that go at present nearly all have got the advance note; even those that do not require it think that there is no harm in having a month's pay in their hand, seeing that they can get it.

2175. But would a month's pay in their hand in the form of an advance note be of the slightest use to them, except they were giving it up to somebody else?—The wives of the men come three days after the men have gone away, and get the money in my office, and they are very glad of it.

2176. But if the allotment note was given three days after, or a month after, it would be the same thing?—Then the wife could not come for it till a month after.

2177. Then as to those 10,000 men, I think you say that the lodging-house keepers assisted you as well as the police to get them on board?—I do not say that they do. I do not remember that I said they assisted us as a rule. It is very possible that they would tell us where the men are to be found; it would be very often their interest to get them on board the ship as well as mine, if they had cashed the advance note.

2178. Does the lodging-house keeper care about getting them on board the ship when once he has got them thoroughly cleaned out?—I am not in a position to say that, but if it be a correct statement that my overlooker gave me this morning, he very soon clears them out when he makes a 3*l.* note to be only equal to two bars of soap, and a few boxes of matches and a pannikin.

0.54.

Mr. *Macdonald*—continued.

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2179. Now you know exactly what the system is; does not the advance note lie at the bottom of all this immorality and drunkenness on the part of the men, and all this necessity for getting men on board by force?—I do not know that it does wholly. There are the evil passions of men who have very possibly been confined on board ship for a good length of time, and when they get on shore and have money in their pocket they are very apt to run riot and to get into dissipated habits; and unfortunately in old times shipowners used to give them grog, and therefore teach them the habit. I have not for 10 years given, neither the man nor master, a drop except what is put in the medicine chest.

2180. You look upon the system of giving grog to the seamen as a bad one?—Yes; if it was a dirty night he did not get it till after he needed it; he got it when he was going to his bed, and as a mark of favour, and that taught him to like it.

2181. Do you not think that any system, anything which tends to maintain such a state of things, directly or indirectly, is a disgrace to our country, and ought to be put down, if possible?—I think that it would be a wise thing in the interest of the shipowner and of the shipping interest, as well as the seamen, if that advance note was done away with.

2182. You stated to us that the Norwegians, Finns, and Swedes are steady men; are they more steady than our own able-bodied seamen, our trained seamen?—There is no doubt that we have as good seamen, as I have said already, as there are to be found in the world, without exception.

2183. Not better?—Perhaps better. I would not say they are better; I had a Finn as good and hearty an able seamen as I have seen anywhere; a man that could splice a rope, or of a dark night go to the weather earing, with any man you could find.

2184. Do they take advance notes as well as the English seamen?—Yes.

2185. Do they have to be put on board in the same way as the others?—Yes.

2186. They are afflicted then with the common failing that seamen generally are afflicted with?—Yes, they get a month's advance before they have worked for it, and it goes by the term of the "dead horse;" the man is working out the dead horse the first month he is away, and therefore as a rule he is an indifferent sort of fellow in the fulfilment of his duties, from his having got the pay for this first month; and if the ship goes into the Channel from stress of weather, or otherwise, he is all but certain to desert.

2187. You have had large experience; you have had young Norwegians and young Finns coming to you; have you had any of them in after years?—Yes.

2188. Was there any change for the better or worse in the character or conduct of these men?—I had a man that was a boatswain with me for five years, a Finn, and the first voyage that I had him, he, with others, broke into the cargo and got drunk, and I had to put him in irons, but he was the first fellow that broke down and cried, and wanted to get out; and I let him out, and that man sailed with me for four voyages after, and every voyage he was a better man than he had been before. They got hold of a box of gin, and something of that sort, and the

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crew all got drunk, and I was obliged to put a number of them in irons till they were sober, and this man amongst the rest; and he broke down first, and said he would never do anything of the kind again, and he was let out in the course of an hour or two, and the man behaved himself afterwards.

2189. You mentioned the fact of having entered five ports with one crew?—Yes.

2190. Do you think that men now would not equally do that as well as when you were in the command of a ship?—I have had some captains that I think are just as good as I was when I was in their place, who handle their men just as well as I could have done, and they cannot get them to do so.

2191. Notwithstanding the power of this stringent law to compel them to go on board?—The practice has got to be more common than it was at that time of employing stevedores both to discharge and to load the cargo; we used our crew more at that time than we do now, and therefore they found employment, and were in a measure kept in employment more than they are now.

2192. Forty years ago, was it not more common than now to employ a seaman during the whole time that he was in the port nearly?—To a considerable extent.

2193. You are a Scotchman?—Yes.

2194. In Dundee, and the ports of the north of Scotland, was it not common, 40 years ago; to have the seamen constantly, nearly, doing work on board until the ship sailed again?—In the cases I have mentioned, which I did incidentally, our seamen got two or three days' holiday; we were not very long in discharging a cargo of flax, they got two or three days to enjoy themselves and see their friends, and they came back and signed the articles, and they were on board, perhaps the day before the ship started, making all arrangements ready for sea.

2195. The honourable Member for Plymouth put a question to you about distressed seamen coming and being landed in a state of actual poverty, and asked what they were to do; do you think there should be any law passed whereby the shipowners should have seamen, that is to say, their workmen, compelled to be in a position to engage to them other than the common community?—Certainly not; I think that that was a very exceptional case which was put by the honourable Member.

2196. Now I want to ask further, if the advance note was done away with, is it not likely [illegible] distressed seaman, instead of coming home [illegible] without means and without a farthing, [illegible] left a few pounds with some of his [illegible] meet such a state of things as that of [illegible] and coming home in a state of [illegible]—My experience is that these sea[illegible]me, even if they have been cast [illegible] most exceptional cases, do [illegible] that destitute condition; the [illegible] lies on the spot, or some [illegible]m, provide them with a [illegible] outfit of a sailor requires [illegible] rather; if he has got [illegible] nnel shirt, a pair of [illegible] ed out; he can start [illegible] as a rule the ship[illegible] ck to make a pair of [illegible] has started. For a

Mr. *Macdonald*—continued.

sailor to be in a destitute state is a very exceptional case.

2197. And in short, if he was so destitute, if he looked a worthy person, he would find relief from those that take an interest in seamen, would he not?—I think he would.

2198. He would never need to apply to a workhouse?—I do not think he would; I do not think any respectable British seaman who came home in a destitute state after having been shipwrecked, would ever apply to a workhouse. The shipowners would be glad to assist such a man; he would get something to start him.

2199. Without any trouble?—Without any trouble.

2200. Now you say that you continue to give the advance note, you of course are compelled from the circumstances in which you are placed to give the advance note, and it is not because you do it willingly?—Certainly.

2201. If the advance note was abolished tomorrow, would you not feel a relief, and would you not feel, in the interest of your seamen and yourself, that it was a boon to you to get rid of it?—Yes, I would.

2202. And it is because this advance note is tolerated by others, and you would not get seamen without it, and it is because of that alone, that you continue to give it?—That is the only reason.

2203. You abhor the system, but you are compelled to adopt it from the circumstances you are placed under?—Yes, I think it is a wrong system, and the abolition of it would tend to make the seaman more provident with his means when he comes home, and would put him in an independent position, in which he did not need to associate himself with these people, who have an interest to send him away in a state in which he does not know what he is doing in either dealing with them or anybody else.

2204. You mentioned about sailors feeling an interest in the ship when at sea, and calling to the look-out or to the officer, that is not an exceptional state of things, is it?—No; I was not speaking of any one case when I said so; that was the general thing on board the ships that I mentioned when we were sailing up and down the Baltic, when a sharp look-out had to be kept, that the seamen were as much interested in seeing the ship safe as those aft were.

2205. Is it not your experience, when once you have cleared a port, that seamen manifest an equal interest for the safety of the ship as any officer on board, even the captain?—I am sorry to say that that is not the case now; and if it was necessary I could give you some very special cases in reference to the conduct of crews nowadays where, far from helping to further the interest of the ship and the interest of their employer, they take every opportunity when a difficulty occurs of making it as bad as possible.

2206. Skulking, do you mean?—Not only skulking. I had a ship not long ago in Bombay, a nice strong good ship, which had passed out of Messrs. Green's dockyard, where a large sum of money had been spent on her; she went to Bombay and was there three months before she got a cargo; she went in January and was loaded in April; and the ship lying in the sun her planks shrunk a little, and she made a little water as she sank down, and these men went and complained; they had their outward wages going on, and they had

Mr. *Macdonald*—continued.

had the same during the time they had been in port going on, and they had no fault to find with the ship; they went and complained she was making water. A survey was held on the vessel by the port captain and others, and these men were warned that it was wrong and so forth, and they were sent to gaol for 21 days. She was a chartered vessel and she was not loaded. When they came out they went on board again to their duty. They continued to be very troublesome, and went and complained again that she was making water. The first time it was not above half an inch or three-quarters of an inch, and she was now making about an inch an hour; and another survey was held upon her, and it was found that they had gone with sharp instruments and had dug round about the bolts and every place they could find where the blue wood would be, so as to disfigure the ship as much as possible, but the surveyor did not consider that she was unseaworthy; still they said that as it was the winter season when the ship had to round the Cape of Good Hope, and as she had been making some water it was perhaps best that she should go into dock. It was a vessel with 2,400 tons of cargo on board, and I had to take the whole out of the ship and put her in dock. They caulked the garboard streak and could not find anything the matter. She was brought out again and they loaded the cargo into her, and then she made the same quantity of water again, about an inch an hour, and the men would not go in the ship. The harbour master said, "This is trifling; you get a tug and tow the ship to sea, and I will send aboard some policemen and make the fellows go." That was done, and the ship came home to Liverpool in 93 days, and delivered her cargo without a spot upon it. But I was so disgusted with my experience that I went and sold the ship for 4,000 *l.*, and she was worth more than 8,000 *l.* to me. I felt that if we were going to be subjected to this sort of thing, and one's good name was to be dealt with in that way, I would rather be done with it, whatever the sacrifice was. That is the experience we have of the present class of sailors unfortunately.

Mr. *Gorst.*

2207. I understand you are strongly in favour of the abolition of the advance note?—I am.

2208. What is it that gives its value to the advance note; why should the boarding-house keeper give cash to the sailor for his advance note; what security has he?—You were not here when I narrated how the matter was done.

2209–10. I know how the matter is done, but in your opinion what is it that gives its value to the advance note?—Getting the man put on board a ship.

2211. How can he get the man put on board the ship?—If he has signed the articles, and he brings him down, we put him on board. We have the power, at least, of employing a policeman to put him on board.

2212. Do you think it is the power of employing a policeman and having him arrested that gives its value to the advance note?—No doubt it does to a certain extent; it helps those men to get him shipped.

Mr. *Brassey.*

2213. I do not want to travel over the ground that you had traversed this morning, and that we went over together some time ago when sitting together on the Commission, but just to put the thing concisely: As a matter of fact, is not this the case, that, notwithstanding that advance notes exist, a large proportion of seamen shipped are in a deplorably destitute state as regards clothing?—Very bad indeed.

Mr. *Brassey*—continued.

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2214. The advance note was invented, was it not, for the purpose of enabling the seaman to provide himself with the necessary outfit for a long voyage?—No doubt it was; there could be no other excuse for a seaman getting an advance for work he had not done, unless for that purpose; that he was going away where he could not buy clothes, and he had not money to do it, and therefore he had to get something to do it before he started.

2215. Therefore it being the case that a very large number of seamen do not make use of the advance note for the purpose for which it was intended, the system of advance notes may be considered to that extent a failure?—Yes.

2216. I think when you and I were considering these things at the Royal Commission it was suggested to us, was it not, that the seaman might be provided with clothing by means of a slop chest, which should be put on board ships, and which would contain the necessary supplies of seamen's clothing, to be provided of a certain quality and at reasonable prices?—Yes, that was suggested; and if the advance note was to be done away with I should be prepared myself to see that proper clothes were put on board the ship to make provision for cases of that kind, and that they should be sold to the seamen at a very trifling expense above what they cost.

2217. And you think that such a proposal as that is a practical suggestion?—I do, certainly.

2218. Now with reference to the effect of the system of advance notes as a security that the men who have signed articles shall ship at the proper time; if the advance note is abolished we shall lose a certain guarantee which now exists, shall we not?—No doubt we would to some extent. The man who has cashed the advance note has a great interest in bringing that man to the ship and getting him on board, so that he should be serving at the time that the advance note is payable.

2219. On the other hand, if there were no advance note the crimps and lodging-house keepers would refuse to entertain the seaman after he had spent the money earned upon his previous voyage?—It appears to me that if the advance note were done away with the business of the publican and the crimp, so far as the sailor is concerned, would be pretty well done away with; he would not have the chance of taking advantage of the sailor if it were not for the advance note.

2220. We will not go over the ground again with reference to the advance note; you referred to a rather painful incident which occurred, which has been alluded to by several honourable Members of the Committee, in which after having taken great pains to provide for the comfort of a crew which you had shipped, you were not received by them in a very proper spirit when you went down to the dock to bid them good-bye; now does that suggest to you an idea which I believe was entertained by the late Mr. Graves, that the interveution of the shipping offices, both at the time when the wages are paid and also for the purpose of shipping seamen, has had the effect

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Mr. *Brassey*—continued.

of preventing seamen as a body from forming a loyal attachment to their employers, and recognising the relation between the employer and the employed, as it is recognised in employments on shore; do you think anything of that?—I have no doubt at all that it has a very considerable effect in the shipping of the men, for the reason that he has no experience of you at all, and as he never saw or knew anything about you, particularly if he is somewhat the worse for drink, you cannot expect that he should have any loyalty to you at all. Coming home, if he has been well treated and had comfortable quarters, and his provisions have been good, he may have some regard for the man that the ship belongs to, because he has had some experience. And therefore I think that, all things considered, it is desirable that the discharge should be before a public officer, that there should be somebody to see fairplay between the seaman and the master when he is getting his wages.

2221. I should like to ask you one or two questions only upon another point; I must begin by asking you rather a general question: in the employments on shore it has been found, has it not, that the most advantageous system of payment, both in the interest of the master and the interest of the employed, is the system of payment by results, in other words, piecework; that is so, is it not?—Yes, no doubt it is.

2222. Is it not the fact that in the arrangements made between the shipowners and seamen that principle is wholly lost sight of?—Yes, it is. That gives me the opportunity, however, of showing what I brought with me here, what the shipowners are desirous of doing with the help of the Board of Trade. We went with a deputation to Sir Charles Adderley, and he was kind enough to give us every assistance and countenance that was possible by the Board of Trade; and therefore the seamen are encouraged to get a document of this kind voluntarily (*producing a placard*).

2223. What you propose is a certificate of competence to able-bodied seamen?—Yes; and therefore in the case of a man who demonstrates that he is an efficient man, and can do his duty, we propose that a bill should be put up at the shipping office or at the ship that he should get 5 *s.* extra wages; that to parties holding a certificate of competence that they have passed an examination, and who can show that they are excellent seamen, we should be willing to pay extra wages.

2224. At the present time, there being no system of that kind established, the result is, is it not, that the seamen receive an uniform rate of wages; whether they are clever seamen or the reverse, whether they behave well or badly, at the end of the voyage they receive the same rates of wage?—Yes, they do; and no doubt that has a very injurious effect.

2225. There is very little in a pecuniary point of view to encourage a seaman to extra diligence or exertion to the display of special skill in seamanship?—There is not, unless he is looking forward to become an officer; there is very little encouragement indeed; indeed he is very much discouraged in the direction which I have already indicated, that if a man ships as an ordinary seaman without the proper qualification, and sails a voyage, and then goes and sails as an able seaman, the splicing and the mending of the sails has to devolve on a few of those who can do it; and therefore the competent man feels naturally injured that that man should get as good pay as he gets, though he is not fit to do the duty.

Mr. *Brassey*—continued.

2226. You spoke of the encouragement there is to a few exceptionally good men to look forward to be officers; but unless a man absolutely transfers himself from the forecastle to the quarter-deck, there are no special ratings and small promotions in his own grade as a seaman, in the merchant service?—Yes, there is to some extent; he may get to be boatswain of the ship.

2227. But is not that almost the only promotion which is open to a seaman in his own class?—That is so; either boatswain's mate or boatswain until he goes and passes an examination; he must have had sufficient education to go and pass an examination, and have a certificate before he can be made an officer.

2228. Are you sufficiently acquainted with the organisation of the Navy to be able to say whether or no there exists a great number of small promotions for seamen in the Navy, good-conduct stripes and various grades of petty officers for seamen in the Navy?—I have heard so; but I am not so acquainted with the subject as to be able to go into details.

2229. In that respect there is rather an unfortunate contrast between the system which prevails in the merchant service and that which has been adopted in the Royal Navy?—Still I am bound to say this as to the merchant service, that I know of no occupation whatever where a well-behaved man with a moderate education, such as everyone gets or has got in Scotland in years past, and as they will now get in England, has better chances. He may rise to comfortable circumstances and get on the quarter-deck without difficulty. I very often have taken from among my own seamen a well-behaved worthy man, and given him the opportunity of going to the Wells-street Sailors' Home, and studying at a school till he was able to get a second mate's certificate.

2230. Where a man has not had the advantage of this early education that prospect is not open to him?—It is not open to him.

2231. What is the usual time allowed to a shipmaster to get a crew together for a large ship going a long voyage?—As a rule two days; that is to say, he goes and puts up a notice that he is going to ship hands. He perhaps ships 20 out of 37 or 38 the first day. He picks them out amongst the men there and ships 20, and the next day he goes and there is another batch of men there, and then he ships the rest; and, as a rule, I endeavour to have it done three days before the time the ship sails.

Mr. *Shaw Lefevre.*

2232. Do you take apprentices on board your ships?—I do.

2233. What proportion?—On board these large ships we take four or five, and sometimes we take as many as six apprentices.

2234. Do you receive any premium?—No; what I do, is that they shall deposit 20 *l.*; and his pay, during his apprenticeship, is from 26 *l.* to 32 *l.*, according to their age, and I return the 20 *l.* when they complete their indentures.

2235. Do these apprentices for the most part look forward to becoming officers?—A great part of them do.

2236. They

Mr. *Shaw Lefevre*—continued.

2236. They hardly belong to the rank of men who remain seamen?—Among them, no doubt, are those that do. I make it my business to encourage the boys when they are at home; if they remain by the ship and are living in the Sailors' Home, I make it a condition that they shall go to the schools at night.

2237. I want to know whether the apprentices that you, and shipowners of your class, take, are generally young men belonging to a better class than the ordinary seamen?—As a rule they are.

2238. They are looking to qualify themselves not as seamen, but as mates and officers eventually?—Yes, they are largely so.

2239. Then you would say that a very small number of the apprentices in the merchant service are looking forward to be actual seamen?—Very few of them. We have lads who look forward to pass as second officers.

2240. When we are told that there are so many thousand apprentices in the merchant service, we may look upon those young men as supplying eventually the places of officers, not of seamen?—Just so.

2241. Of those who enter as boys, but as ordinary seamen, a considerable number besides rise to the position of officers, I suppose?—Yes.

2242. If a young man is well educated, he has a reasonable prospect of becoming a mate, or an officer, eventually?—He has; nobody can stop him from it. If the captain gives a man a certificate of ability and sobriety, nobody can hinder him from going up and tendering himself for an examination, and he gets a certificate as second officer.

2243. And may I take it then that the able seamen in the merchant service are not largely supplied by the apprentices who enter on board ship?—No, I should think not now; perhaps not a fifth of those that serve their apprenticeship count upon remaining seamen.

2244. Then how are the ordinary able seamen in the merchant service now supplied; simply by boys going on board ship, not as apprentices, but simply as seamen?—A great many of them, I am afraid, are dissolute fellows who do not find employment very readily on shore, and then they are shipped as ordinary seamen on board, and they get employment without a character very often.

2245. I suppose a good many come from the fisherman class?—Not very many of them.

2246. Is the fisherman class rather above the seaman class?—He does not ship readily in that way. I have had a good many from Littlehampton and Bognor, and so on, capital apprentices, sons of fishermen.

2247. What class should you say generally have the seamen come from?—From all classes of the community, I believe. A young fellow gets out of employment, and very possibly he gets into trouble in some way or another, and he finds it is possible to get on board a ship as an ordinary seaman, and he goes away to one of the houses where he knows he can get 2*l.*, if not 3*l.*

2248. They do not come, as a rule, as boys?—No; they come on board incompetent for the work they have engaged to fulfil, and that makes them discontented men, and breeds discord between the officers and these men who are incompetent for the work they have undertaken.

0.54.

Mr. *Shaw Lefevre*—continued.

2249. You have suggested a voluntary system for certificates of competency?—Yes.

2250. How would you suggest the holders of those being identified; how would you ensure that that certificate does not get into wrong hands; do you think that you could secure that, that the holder of that certificate is what he represents himself to be?—It is a voluntary operation, and we are merely doing what we can under difficult circumstances. The Government does not see its way to enforce it. We are desirous that the men should be punished who use them wrongly.

2251. The holder of that certificate would get 5*s.* a month extra?—Yes.

2252. Therefore it would be a valuable document?—Yes, to him; but the captain would soon see whether he had the qualifications of the certificate which he brought with him.

Chairman.

2253. It is registered?—Yes.

2254. And in the register is any description taken of the man?—Yes, there is.

Mr. *Gorst.*

2255. I presume you are aware that any person using such a certificate as that, who is not entitled to it, is guilty of forgery?—I should think he would be guilty of obtaining money under false pretences.

Chairman.

2256. Do not many ships get their men on board a day before sailing?—Very few indeed.

2257. But is it not the practice now at Southampton for the ships to get their men on board, and to drop down as far as Netley Abbey, and there remain a day before sailing?—I suppose some, and only some, of the packet ships do so, but I should not take it that any ordinary trading vessel would do that, would go out on purpose to have her men on board a day there.

2258. Do you think that any arrangement could be made by which it would become the practice to get men on board 12 hours before sailing?—It would be a great thing if it was made a serious offence for a man not to carry out a bargain he had made to serve in a ship, just as it is made a serious offence for a man to undertake to be a stoker at a gasworks, and then to fail to fulfil duties which are very important, and the neglect of which is dangerous to life, and very dangerous to property. It should be made an offence for which he should be indicted immediately, if he failed to come at the time he engaged to do so.

2259. In stating your objection to Clause 4, I observe you distinctly said that you did not wish to make use of the punishment of imprisonment?—Certainly not. I do not know that in the course of my experience I have prosecuted three seamen.

2260. Then what is the use of retaining in the statute the power of imprisonment, if it is not to be used?—To some extent it acts as a deterrent; we have the alternative; and that alternative we use as a rule, that is to say, put him on board the ship and set him to his work; but if he is refractory and will not do it, will not go, but resists the policeman and so forth, it is important that we should have the other alter-

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native, as an example to others, that he should be sent to prison.

2261. And although you state that out of 300 or 400 cases of neglecting to join which annually take place in the port of London, there are only on an average two or three prosecutions, still you think that this power of criminal proceeding acts as a deterrent?—I do; I have a very strong opinion in reference to that.

2262. Although the prosecutions are so rare that there are only two or three in some hundreds of cases?—Yes. I say it with all respect and deference to the magistrates, but the magistrates here in London will not punish the sailors; the fact of not joining a ship they do not seem to think is a serious offence. One of the cases that was prosecuted was in reference to the "Faraday" steamer, a seaman belonging to her, a very important large ship; he was prosecuted, but he was discharged by the magistrate with a caution.

2263. If the exercise of this power is so extremely rare, and merely useful as a deterrent, would not civil proceedings be equally effective?—It does not appear to me that it could be executed in the direction that I showed. Where this power is of more avail, is in the outports that I have spoken of, rather than in London. We would submit to inconvenience here even if your ship were detained, that is to say, go to Gravesend and wait till you could get your crew; but in a place like Sunderland, where the moment you are outside the dock you are in the open sea, it is of the most vital importance that there should be the means of getting hold of these men, who have agreed to navigate that ship, and putting them on board.

2264. Have you observed that Clause 4 only proposes to do away with criminal proceedings for neglecting to join; that is between the time named in the agreement and the actual joining of the ship?—Just so.

2265. Do you suppose that the mode which you have described as that in which men are brought on board, that they are hunted up and brought on board; is the kind of arrest without warrant meant in the Act of 1854?—I should hope so; it is the way that is the most available, and it is the way that it has been used. I should think that I have had hundreds of cases of that kind of large ships that I have, where we ve been obliged, very often with the help of a ceman, to get 15 or 20 men to every ship in ay.

When you talk about arrest without s the mode of bringing a man before a , you do not think it is exactly the proceeding if a master finds a negli- ore and pats him on the shoulder along, my good fellow, and come ardly look upon that as the rant which is so seriously think that the arrest with- hurt the seamen that I o not think they feel it

out warrant that you in your evidence, is ith the assistance of gent men and getting having always the al- ere obstreperous and policeman or the other

Chairman—continued.

parties have come, you could send him to gaol if necessary.

2268. As to the advance notes, is it frequently the case that the sailors actually gets the cash of an advance note into his own hands?—Yes, we have numbers of them that do; indeed we do it sometimes ourselves. We have a few of them that we know, and they come up to my cashier and he gives them the money; and there are a certain number of them who have friends who give them the money and allow them to make use of it.

2269. In nine cases out of ten is not the advance note used for the payment of a debt to a lodging-house keeper?—I am afraid that it is very much used in the direction of what I have indicated here; they take care not to let the sailor get very far in debt, and they take care to have him shipped, and have an advance note before he gets in debt, because they know they have to give him something out of it to get him away.

2270. Do you think the seaman often gets money out of an advance note into his own pocket?—Unless it be from friends, I am afraid he scarcely ever does.

2271. An advance note is not cashable until he has been at sea three days?—Just so.

2272. Whether he gets goods for it or cash, could you state what sort of discount is taken off the actual sum named in the advance note?—It is a tremendous discount.

2273. What should you say on an average?—I should say on an average 25 per cent. is taken off; and if a man for 3*l.* only got two bars of soap, and 10 boxes of matches, a tin pot, and a pannikin, you may judge how others fare.

2274. With reference to the clause which enables a single seaman to demand a survey in his own defence, your objection was that the clause, as it appears in the Bill, has omitted the words that he must have, previously to quitting, complained to the master?—Yes.

2275. I want to know if those words were restored, should you object to the clause as drawn, that is to say, should you object under those circumstances to a single seaman being able to demand a survey?—Yes, we would; shipowners generally feel, that it would be a dreadful grievance that the ship could be stopped in the Downs, or anywhere almost, at the instance of a single seaman, when all the rest of the people who were on board were satisfied that she was seaworthy; that seems to be a power which would be most injurious to the shipowner.

2276. Cannot you imagine cases in which a single seaman would be justified in quitting a ship from its appearance of unseaworthiness?—I cannot. If a seaman quitted a ship from the appearance of being unseaworthy, I think he would be able to communicate with some of the others, and that more than himself would be willing to quit her.

2277. You will observe in the clause that the court must satisfy itself, first, that there is a *primâ facie* case made out by the seamen before they order the survey?—Yes, I do; but that *primâ facie* case would be made out by the seamen's statement.

2278. That is the view you take of it, and it is on that view that you give your evidence?—Yes.

2279. I want

Chairman—continued.

2279. I want to know if you have read the Bill, whether you approve of the clauses relating to payment of wages; your opinion is most valuable on that point, and I should like to know what it is?—I was going to ask to be allowed to say something in reference to that, if you had not asked it. I feel that the proposal here is quite impracticable.

2280. On what ground?—Suppose that a vessel is coming in from sea, the captain, who is the party to make out the account, is constantly engaged in looking after the vessel and attending to his duties, and if he does not know the exact time at which the voyage will end; for instance, if she comes to Gravesend and the tide does not suit, he may have to lie there till the next day, and therefore he could not make it out till next day; but if the tide suited he would go up; it would be impossible, therefore, for him to complete his accounts, and have them ready the moment he arrived. In addition to that, many of the ships that come into a port are vessels owned at other ports, and the master does not happen to have money lying there that he can put his hands on at that moment; he has to communicate with his owner, and very often to get a letter from him with a statement of the advance notes and the half-pays that have been paid. Therefore it appears to me that it would be quite impossible for the master of a vessel to have the accounts ready to pay the men as soon as the ship was moored in the dock, and he was done with them and they were ready to go on shore. And, in addition to that, it appears to me that it would be a very unfortunate thing for the sailor that he should get his wages as quickly as that. I think the proposal made here of giving him a third of his wages, or 4 *l.*, and then letting him get the balance of his wages at the shipping office within 48 hours, would be a very much better arrangement.

2281. Will you consider this, that the object of this clause, which is a modification of the existing law, is to enable the seaman as soon as he is discharged, to go home and get out of the way of crimps; and the proposal now is that a form of account should be furnished by the Board of Trade (which I will produce to the Committee), by which a current account is kept between the master and the seamen during the voyage of every entry of an advance of money, or supplies of any kind during the voyage; that there shall be a double entry, and at the close of the voyage at the discharge, the counterfoil shall be torn off and given to the seaman; that then he shall have a sum, perhaps not so large as the 2 *l.* or 4 *l.* mentioned, say 10 *s.* given to enable him to get home, and that the rest of his account is to be settled by the superintendent; what fault do you see in such a proposal as that, and do not you see the advantage of enabling the seaman to get home?—If he is a respectable man, with the money that he gets here, he will have no difficulty in getting home whatever, and as a rule he would have his wages sent to him if he wishes it.

2282. Has not the existing law, which gives the master four days to settle it, the practical result that the man is always kept those four days hanging about the dock?—I think not. I think there is scarcely a case where he is kept the four days. I think, as a rule, they are paid on the second day. The captain comes up, and he gets the assistance of one of our clerks. It is not so easy for a shipmaster to make up a sailor's account if he is going to do it fairly and honestly; that is to say, he gets rupees in one place and dollars in another, and the exchange has to be arranged in reference to that, and the fair and legitimate amount charged. I have heard of cases where sailors were charged 2 *s.* 2 *d.* for a rupee, and so forth. I have taken care that nothing of that sort is allowed; that the men's wages in reference to what shall be charged for money advanced abroad shall be settled in my office, and that the clerk who makes it shall see that these things are done.

Chairman—continued.

2283. But, according to your account, the practical result is that the seaman is kept two days hanging about, and that is quite long enough for the crimp to get hold of him, is it not?—He wants a day or two before he goes away; it would be a hard thing to turn him off, I think.

2284. I am not proposing to turn him off, but that he should be allowed to go off if he wished —I am quite sure it is impracticable; that two-thirds of the shipmasters could not do it, and would not do it if it were made law to-morrow.

2285. Do you see any difficulty in the mode of account which I propose, in which the entries should be made from time to time during the voyage, and the counterfoil torn off at the discharge and given to the seaman?—I think that is quite right. I have a form now the same as I had when I was a shipmaster myself; a little book with a debtor and creditor side, and every item that the seaman got was entered in there regularly; and my requirements to my masters are, "You shall produce that book to the seaman before he comes in and let him sign it, that he is satisfied that he got so much tobacco and so many dollars, and so many rupees and so on;" and my clerk has only to see that the rupees are put at a proper value, and that the dollars are put at a proper value, and the balance is made out, and the crew are paid the following day.

2286. It was stated by Mr. Williamson that there would be this difficulty in the way, that the law gave the superintendent the power of adjusting the accounts; is not that incorrect, and is not the law only that the settlement should be made in the presence of the superintendent, and that if dispute arises, the superintendent shall decide?—I believe that to be the case; and with regard to the provisions which are put into this Bill, I may say that the General Shipowners' Society, in the main, very much approve of this Bill. There is a clause which has not been referred to, which I was asked to mention, and that is in line 16 of Clause 7, wherein it is stated, that "if any such arrest appears to the court to have been made on improper and insufficient grounds, the person who makes the same, or causes the same to be made, shall be liable, on summary conviction, to a fine not exceeding 20 *l.*, to be paid to the person arrested, if he accepts the same, but the acceptance of that fine shall be a bar to any other proceeding for damages in respect of the arrest." I was asked to say that the experience of shipowners with the magistrates, such as they have been in time past is, that there might be a great risk of the magistrate very readily, if there seemed to be any irregularity in reference to the arrest, fining the owner 20 *l.*, which the seaman could take or not as he thought proper; they think that it would be better

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better if it were left to the ordinary course of things as it is now. They are quite prepared, if they arrest a man wrongfully, that they should be fined 20 *l.*, 50 *l.*, or 100 *l.*, or any greater sum available, but they think that putting that 20 *l.* in there, would be very apt to lead to its being used in a very summary way in reference to the owner, and that the sailor need not take it unless he liked.

Mr. *Bates.*

2287. You said that your ships going in ballast to Cardiff, carried a pilot?—Yes.

2288. Do not all ships do that?—I do not know that they do; I think that a great number do.

2289. You said that Messrs. Rankin, Gilmore, Strang & Co., in the case of their ships going to British America, do not give advances?—No, they do not.

2290. They give large wages?—They give higher wages than what are given in general ships.

2291. Much higher; do you know the reason?—I know that they have to get the men without the advance; and if a man has not the advance, he is not so likely to run away in America.

2292. Do you know that, as a rule, men nearly always run away in America?—Yes; unfortunately they do.

2293. Therefore the owner in that case has the money in his pocket?—If he has not been a month out, it would not be so; if he paid them 3 *l.* or 3 *l.* 10 *s.* a month, and had to pay what is very often paid from British America homewards, he would not have anything in pocket; he would be better off if the man fulfilled his contract.

2294. A good many of them, you know, do desert?—They do, no doubt, and it is a very unfortunate thing.

2295. Do not you think if it were possible to keep a portion of the inward wages at the shipping office till the sailor was willing to go to sea again, that would be a good plan for getting rid of the advance note; for instance, suppose that instead of Jack getting his 25 *l.* or 30 *l.* on a long voyage, the shipping master kept 5 *l.* with a view of fitting him out; do you not think that could be done?—I am afraid that the seamen would consider it was an interference with the liberty of the subject that they would not submit to.

2296. Did you ever know a case where a man had not got an advance note in which he did not in his ship according to his articles, or when ship was ready to go to sea?—My experience t they nearly all get advance notes, and e I have no experience in reference to who do not get advance notes; but has told me he has had some very f men got without advance notes t hold of by these men on shore. id that there was a case in your a lodging-house keeper got an a man lodging in his house, him two bars of soap, a tin against that advance; do man was in debt to the all?—I should take it he my overlookers told me seaman said he had lain fallen asleep, the night his money taken away; therefore, that he could debt.

Mr. *Bates*—continued.

2298. Will you give us the name of the ship and the name of the lodging-house keeper?—I am not able to do that.

2299. Do not you think your overlooker could do it?—If I were to ask him perhaps he could.

2300. I should like to know the name of the ship and of the lodging-house keeper?—It is a year or two ago, I should say.

2301. Do you invariably employ a policeman when you want to get these men on board the ship; do you never get them without the policeman?—Yes, frequently.

2302. You see the men on the quay, for instance; do you not get the sailor often on board without a policeman?—Very often we do; we never apply for a policeman unless it be necessary.

2303. Do you ever give any advances to any of your own house servants?—No.

2304. For instance, if a coachman comes and says his wife expects to be confined, and he asks for an advance?—I never do that; I am thankful to say I have never been applied to for that.

2305. Or if the housemaid is going to get married, and she wants to get an outfit, and she comes to ask for her wages a month before they become due, do you make an advance then?—No, never; and I should consider it a bad trait in her character if she asked it, for she ought to have put something by.

2306. You say that putting clothes on board would do away, in a great measure, with advance notes?—It would obviate one of the necessities which are pleaded for such an advance note.

2307. But are you aware that that would interfere with the Truck Act?—Possibly it would; I do not know whether it would or would not.

2308. Then, if it were to do so, it would be illegal?—I am not certain that it would be illegal.

2309. Did you ever know a sailor before the mast rise to be master of a ship?—Yes; I had one of the very best men I had, who, when he came to me, could not read perfectly; he went and attended the school at the Sailors' Home at Wells-street regularly, when he came backwards and forwards, and he grew up, and was able to write as correct and proper a letter as a master need do, and was a very valuable master to me.

2310. Do you not know that officers are very often made from men before the mast?—Yes, many of them.

2311. Where are your apprentices generally from; in what style of life; are they gentlemen's sons?—No.

2312. Did you ever know young men from college go on board ship as apprentices?—I have never had them; I have never thought it was desirable to have men of that kind; they generally go to Messrs. Wigram & Green, or some of these men, who get 150 *l.* from them; and there they get a gilt band round their cap; but I do not think it makes them sailors.

2313. Five sailors have a power of calling for a survey; do you not think the owner should have the power of calling for one?—I think the owner has the power of calling for one.

2314. That is your idea of the law?—Yes.

2315. In case, I mean, of the man saying that the ship was not seaworthy, should not the owner have the power to call for a survey?—Certainly, I think he should have that power.

Mr. ROGER MOORE, called in; and Examined.

Mr. *Gorst.*

2316. You are a Manufacturer, I believe, at Bristol?—I am.

2317. Have you, for some time past, given your attention to the condition of seamen?—I have for some years.

2318. I believe you have been acquainted with a great many cases in which there have been disputes between the owners of ships and their seamen?—I have.

2319. Is your experience confined to Bristol, or does it extend to other places?—The Bristol Channel ports and other places.

2320. Do you know the cause which generally prevents seamen from joining their ships?—I believe drunkenness is the root of the evil, and that is developed by the crimping system at our outports.

2321. Then do you mean to say that the men get the money on which they get drunk from the crimps?—In the majority of cases they do.

2322. Do they get it in exchange for advance notes?—They do not get the actual amount that appears on the advance note, but they get a smaller proportion, that is cash and clothes, perhaps equally divided, or divided by a certain per-centage.

2323. Have you any notion what per-centage is the usual per-centage charged by the crimps?—From what I have heard, and from what I have seen at Bristol especially, I should think the general charge averages about 2 *s.* in the pound.

Mr. *Rodwell.*

2324. Ten per cent.?—Ten per cent., in a great many cases.

Mr. *Gorst.*

2325. Is the advance note usually payable in the Bristol Channel three days after the ship has gone to sea?—Yes, usually; but there was a case recently in which a ship had departed more than three days from the date the advance note was signed (19th May 1877); that was the "Lorena" of Belfast, and payable by Mr. R. H. James, of Queen-square, Bristol; the vessel was lost off the Isle of Man, and the agent of the owners refused to cash the advance notes in that case.

2326. Do you think that the crimps would cash these advance notes if they had not the power of putting the men in prison if they did not go to sea?—Not so readily, I think.

2327. What becomes of these men who do not join their ships?—In the Bristol Channel, in some cases, and there is a case now which I can allude to, and which the Chairman can bear me out in; the men on desertion at Bristol are taken from Bristol in the hands of the crimps, and passed over to somebody else connected with the crimping system in Cardiff, and subsequently shipped at Cardiff or Newport in another vessel; the party at Cardiff receiving the advance note and recouping the original holder at Bristol to some extent.

2328. You mean that the holder of the advance note in Bristol, who has lost his advance because the man has not gone to sea, sends him over to someone at Cardiff, and he ships him in another vessel?—Yes; some little time since the crew of a vessel had drawn the attention of the Board of Trade to an assault committed on the high seas; the name of the vessel was the "Argo," and she was lying in the Avonmouth Dock; the solicitor of the Board of Trade first summoned the officers before the Bristol Police Court, and the solicitor for the defence argued that as Avonmouth Dock was not within the City of Bristol they had no jurisdiction, and before the summons could be re-issued returnable at Lawford's Gate, Gloucestershire, the men were taken away by the crimps, whilst under detention, to Cardiff, and there shipped.

Mr. *Gorst*—continued.

Chairman.

2329. Getting another advance note, do you mean?—They did not on this occasion get the previous advance note.

Mr. *Gorst.*

2330. What power had the crimp in that case to take them away?—He was obliged to get them away from Bristol; whilst they were under the detention order of the Board of Trade the crimps would be receiving no money from these men, as Board of Trade pay men under detention in cash, at the expiration of time that they require them, and if they got them away and shipped them at Cardiff, the chance of their running into the debt of the crimps would be at an end.

2331. In this particular case, you mean that they had got no advance note?—Not in the first case. When the crimps from Bristol took their men to Cardiff, they would be subsidized by the boarding-house keeper at Cardiff to the extent of 10 *s.* or 1 *l.* a man, occasionally with men's railway fare in addition.

2332. Do you think if the power of imprisoning seamen for not joining their ships were abolished, there would be any practical difficulty in ships getting crews?—I do not.

2333. And do you think that the abolition of the advance-note system would be generally conducive to the welfare of crews?—I do.

2334. Will you explain what you would have done if imprisonment were abolished?—To meet that difficulty I would suggest that whilst the naval contracts of the country are in the hands of the House of Commons, you might develope it at the various shipping offices of the United Kingdom, in this way: that there should be a store provided, that an owner should hand over to the superintendent of that district an order by which he should be indemnified, say to the extent of half a month's or a month's advance, and that the sailor should have the option of selecting from that contract list such clothes as he might think necessary; and instead of handing over that clothing to the seaman, it should be placed on board ship, and three days after he went to sea the clothing should be handed to the seaman for his use; and the cost should be deducted out of his wages at the end of the voyage, and immediately refunded to the Government.

2335. You say, as I understand you, that there would be no difficulty if a seaman went naked on board a ship, in his being fitted out on board the ship itself?—I can see no difficulty myself.

2336. And the owner would have the wages of the seaman to recoup himself?—The owner would have an equal power.

2337. Your idea is this: that if an owner of a ship

Mr. *Moore.*

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Mr. *Moore.*

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Mr. *Gorst*—continued.

a ship took a seaman naked on board his ship he could supply him with clothes, and could recoup himself out of the wages that the man would earn before the end of the voyage?—If not in excess of the contract price laid down by the Government, and quality of clothes to be equal.

2338. You think that there should be a Government tariff standard rates at which the men should be supplied, wherever it might be; and if the owner did supply them with clothes the owner would have the power of recouping himself out of the man's earnings?—Yes; because many of the complaints arise out of the fact, that the captains overcharge the men for the clothes supplied them, or, at least, they allege that it is so.

2339. With regard to discipline at sea, do you think that, looking to the insubordination and the difficulties which arise between masters of ships and their men, that the fault is always on the side of the men?—Not in all cases.

2340. Have you known instances in which men have been goaded to acts of insubordination by the misconduct of the master or the mate?—There have been several cases.

2341. And I believe you can, if called upon by any Member of the Committee, give an instance?—I can.

Mr. *Rodwell.*

2342. Are these cases you have known of your own knowledge, or from hearsay?—In some cases I have been present in the court and heard the proceedings; and in other cases we have had a short-hand writer present to take notes of the proceedings.

Mr. *Gorst.*

2343. Are you speaking of information which you can give to the Committee as the result of sworn evidence, which you have heard yourself in courts of law?—I have in some cases, but I am not in the habit of visiting ships, because I know it is against the rules of the Board of Trade.

2344. And in other cases you can give information to the Committee as the result of short-hand notes, taken by persons attending the court?—Yes.

Chairman.

2345. What rule of the Board of Trade do you allude to?—A statement published by Mr. Thomas Gray which I have a copy of here (*handing it to the Chairman*).

Mr. *Gorst.*

2346. Do you think that it would be safe to [illegible]asters of ships power to punish the crew, [illegible]hey were themselves liable to have their [illegible]ns against the crew, inquired into by [illegible]w?—I do not.

[illegible]you know what the common law [illegible]e master's power, that the master [illegible]xercise such authority over his [illegible]y for the safety of the ship [illegible]ard, subject to being himself [illegible]ises it; do you consider that is [illegible]e rule to observe?—I think it

[illegible]t sea?—Yes.

[illegible] know anything about the pro- [illegible] been made that seamen should [illegible]e of competency?—I have heard [illegible]em.

[illegible]s your opinion on that subject?— [illegible] be a very good plan if it were

Mr. *Gorst*—continued.

provided that all able seamen should be at sea at least four years, and that one-third of that time should be spent on board sailing vessels.

2351. You think that if a certificate of competency of that kind were issued to the men it would be conducive to a good effect?—It would.

2352. Issued either by Government or by the shipowners?—Issued either by the shipowners or the Government.

Mr. *Macdonald.*

2353. You are of opinion that the advance note is the cause of the necessity of apprehending seamen at all?—To a very large extent it is.

2354. You think that if it were abolished altogether the seaman would just be liable to enter on a contract like other persons?—I think he would.

2355. Do you know much of the seafaring life yourself?—I have been master of a yacht; I have had some experience on the coast of England, and for five years I was with the English and Irish Submarine Telegraph Company.

2356. You have at least some knowledge of sea life?—I have.

2357. Then you have met seamen frequently?—I have.

2358. And is there anything in their character that makes them so totally irreclaimable that they require laws different from those which apply to other people for guiding them?—No, I think not; they are men, as a rule, of an erratic disposition, and when they arrive at home, they indulge in some eccentricities; but with kindness and a little conciliation, I think much good might be done.

2359. And if the advance note was abolished, and the certainty that they would get money advanced on their future work taken away, do you think that they would spend their money as freely as they do now when they return home?—I have heard in this room the suggestion of the honourable Member for Plymouth, in which he advocated the allotment note, payable at the end of the first month; that would then provide at an earlier date for the wives and children; I think that would be a step in the right direction. An earlier date after departure would be preferable.

2360. Do you know anything at all about the hardships that seamen have sometimes to undergo?—I do.

2361. Do you know anything of the treatment of the "Rock Terrace" crew?—That statement was not received by myself; it was taken by a gentleman in Liverpool, and I was not present when that statement was taken.

2362. Are you of opinion that, in brief, if the advance note was abolished, there would be no necessity for these additional powers to shipowners, other than to the public generally, to get seamen to go on board?—I think it would be equally as well.

2363. From your knowledge of seamen, do you think the advance notes have a demoralising effect upon the seamen?—I think they have.

2364. And you think that it would be in the interest of seamen themselves, and the shipowners, as well, and to the credit of the country, if these advance notes were abolished?—I think it would, bring about a far better state of feeling between seamen, officers, and shipowners.

2365. Have

Mr. *Macdonald*—continued.

2365. Have you seen the men carried on board drunk?—In numbers of cases; and I have been present when questions have arisen before the magistrates at Bristol, where crews have been charged with being drunk on more than one or two occasions; and it is referred to by Mr. Bowyer of the Bristol Channel Mission in a pamphlet he has published.

2366. Do you think it is in any degree to be wondered at that these men when they come to wake up and probably find themselves in a ship that is *not all taut*, are likely to get a little troublesome?—I am not at all surprised that they are troublesome, and in some cases I have known the crew taken 50 or 60 miles and more to join a ship, never having previously seen her, and kept in a state of drunkenness the whole of the time.

2367. You think it is not very Christianlike to see men carried on board drunk for the purpose of entering on their employment?—I do not think so.

2368. Do you think it is a nice practice for Christians to be engaged in?—No.

2369. You do not believe it is either Christianlike or a nice practice for Christian men to be engaged in?—I do not think so.

Mr. *Burt.*

2370. How long have you taken an interest in the condition of seamen?—About 20 years.

2371. Are you acquainted with the Employers and Workmen Act, 1875?—I have seen it.

2372. I suppose you are aware that the object of that Act was to make breaches of contract on the part of the workmen of the country generally a civil offence rather than a criminal one?—I am aware of that.

2373. Would there, in your opinion, be any special difficulty in applying that Act to seamen?—I think not.

2374. According to your experience is it common for seamen, without good reasons, to refuse to join their ship, or to desert after they have joined?—Not from wilful negligence I take it.

2375. When cases of the kind occur, are seamen taken on board by force?—They are in some cases.

2376. You have already stated, in answer to the honourable Member for Stafford, that it frequently occurs that they are in a state of drunkenness when taken on board?—They are.

2377. Have you any knowledge as to the feeling of the more respectable and sober portion of the sailors at having men put on board in this condition?—The married men, as a rule, resident in the port from which the vessel is about to sail, go on board fairly sober, or quite sober. The turnpike-road sailors, as I term them, that is to say, the men in the hands of the crimping system, are made drunk indirectly at the expense of the crimps, but directly out of their own pockets, and they are put on board in the largest percentage of cases in a state of drunkenness.

2378. Do you think it is quite safe for this to be done, for seamen to be taken on board ship in a state of drunkenness?—No.

2379. Do you think, in fact, that it is both dangerous and demoralizing?—It is dangerous to the ship and to the passengers, if there are any, and about its demoralizing tendency there is no doubt.

2380. Have you known any cases of vessels being lost where there was any reason to suppose that they were lost in consequence of the men being taken on board in a state of drunkenness?—I know of cases where vessels have been detained owing to men going on board drunk.

Mr. *Burt*—continued.

Mr. *Rodwell.*

2381. Detained at the starting place, you mean?—Yes.

2382. In consequence of the men being drunk?—Yes, in consequence of the men being drunk.

Mr. *Burt.*

2383. But have you known any cases of vessels being lost where that has been the cause?—I remember no case at present where I could clearly say it was owing to that cause.

2384. I suppose you think that it would be desirable, if it were practicable, for seamen to be got on board earlier before starting for the voyage?—I do.

2385. Do you think anything could be done in the way of improving the present state of things as regards that?—I think so.

2386. Do you think that the masters and owners do all that they might personally do in the way of getting their men on board a longer interval before the vessel starts?—Generally the vessel in leaving port would have a pilot and assistant pilot, and perhaps a couple of pilots, so that even if some three or four of the men were drunk, there is not the necessity, in cases of that sort, for their immediate attention; but in some cases even in the Bristol river the stranding of one or two vessels has been imputed to men being drunk while on duty.

2387. You heard, perhaps, the evidence of the previous witness, who stated that the seamen really had no objection to being put on board by force; have you anything to say to that?—I have heard some of them express a very strong objection to that course being adopted.

2388. You think they do object to the operation of it?—I do.

2389. Now, as regards the administration of the law, are the seamen perfectly satisfied with the present system of administering the law?—They are not.

2390. It has been stated here by previous witnesses, that there is an impression that the seamen are dealt with with unusual leniency; is that your impression?—My experience is that in a very large number of cases seamen are dealt with most harshly. There was the case of a vessel called the "Dante," at Bristol, [illegible] months ago, a sailing vessel belonging [illegible] John's, Newfoundland.

Chairman.

2391. Is this a case in your own [illegible]—Yes, and a report was sent on [illegible] of Trade, and the surveyors [illegible] "Dante" was lying in King [illegible] of Bristol, at anchor. Three [illegible] duty; they were taken in [illegible] Bristol, and taken before the [illegible] day. They stated to the magistrates [illegible] necessary to have a survey [illegible] proceeding, and the magistrates [illegible] occasion, dismissed them. The [illegible] information was forwarded to the [illegible] in London, signed by these men [illegible] necessary for a survey to be [illegible]

Mr. *Moore.*

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Chairman—continued.

of Trade in London ordered the surveyors in Bristol to report, and she was detained pending what repairs were ordered. The men, on the second day, subsequently to being before the magistrates, had notice to be at the police court, and they were then sentenced, without the survey of the Board of Trade officers being before the court, to one day's imprisonment; and the report of a gentleman who was not associated with the Board of Trade in any shape or form was accepted, whilst at Bristol we have two Board of Trade surveyors.

Mr. *Rodwell.*

2392. Was that before the stipendiary magistrate?—We have no stipendiary there.

Chairman.

2393. I suppose the magistrate saw no *primâ facie* case made out of unseaworthiness?—I think, according to the Act of Parliament, the Board of Trade officials were the only men duly qualified to report upon the vessel.

2394. Do you assert, then, that the magistrates in this case did not take the means specified in the Act to ascertain whether there was a *primâ facie* case?—They did not instruct the Board of Trade surveyors so to do.

Mr. *Rodwell.*

2395. The men were not sent to prison, I presume, because you say they were only imprisoned one day?—No, they were not in that case.

Mr. *Burt.*

2396. You have already stated that you have not a stipendiary magistrate, are there any shipowners on the Bench at Bristol?—Very few at Bristol.

2397. Have you been in court frequently when seamen have been brought before the magistrates?—I have. There was a question a little while since in reference to what, I think, is a very fertile source of rows on board ship, I mean a mixed crew of foreigners and English. Three foreigners and one Englishman were charged with refusing duty on board a ship lying in King Road, and the defence of the foreigners was this, that they were taken on board the ship at the last moment, and instead of having the proper rations that were served out to the rest of the crew, they had the bones and hamrinds and a few biscuits given to them at the end. The foreigners were sent to ...ol for six weeks, I think.

...398. With regard to advance notes, do you ...rally agree with the evidence that has been ...efore this Committee by all the witnesses ...e demoralizing effect of the advance ... think the result is that the cash dis... ...gh the advance notes, is generally ... lowest class of public-houses and ...thels, and the lowest parts of our

...eamen as they are, do you ...ance-note system could be dis... ...o think so.

... not *without* some amount of ... Beyond clothing, and just a ... for the passage, seamen do not ... to provide provisions; the pro... ...ided by the owners, and those ...nly ought to be under compulsory ...pection to satisfy the seamen.

...ystem were abolished and de-

Mr. *Burt*—continued.

clared illegal, have you any suggestion that you could offer that would meet the requirements of seamen who need an outfit?—I can only reiterate what I stated in reply to the honourable Member for Stafford, that it would be well if the Government, subject to the contract price, could provide a store at every mercantile marine office in the kingdom, and that the sailor should have the choice of selecting, up to a certain extent, his clothing for the voyage; and that instead of passing into the seaman's hands, when perhaps the crimp might be able to realise upon the clothing, it should be taken on board the ship, and signed for by the officer in charge, and the cost be refunded to the Government at the end of the voyage out of the men's wages.

2402. Have the seamen at Bristol a convenient place for shipping?—There is one great drawback at the Mercantile Marine Office at Bristol, in the fact that the men are open to many temptations, owing to the circumstance that they have to congregate in front of the marine office, where they obstruct the public thoroughfare, and no waiting room is provided for them; and much public opinion has been expressed to the effect that the seamen should have some commodious waiting rooms and a smoking room if they required it, to keep them away from the temptations and surroundings of that class of people.

2403. I suppose you have paid considerable attention to this Bill on which you are giving evidence. With regard to clause 26, which is intended to prevent unauthorised persons coming on board when a ship is arriving, do you think that that clause is calculated to protect the seamen against these crimps?—I am of the same opinion as Colonel Hill in reference to that question, that the words, "has arrived," will not meet the requirements of the case. For instance, the Bristol river is about seven miles long, and vessels can be boarded at a distance of some 70 or 80 miles before the port of arrival by the very class that this Act seeks to put a stop to.

2404. Then you would suggest an amendment of that clause?—I should like to see the Act assisted to a certain extent by the various pilots being called upon to oppose the entry of any person until the Custom House officer had been on board her, and that not only should the local marine police of the district have to operate, but they should have the assistance of the water police, and the borough police of the same district. At some ports the smallness of the number of the local marine police is such that if these boarding-house keepers and crimps intended doing things by force, it would be futile to put a stop to their endeavour in consequence of their numbers.

2405. You agree entirely with the object of the clause, and all that you would want would be to make it as effective as possible?—That is it, by the united action of the local borough police and water police and marine police, also Custom-house officers, where available.

Mr. *Rodwell.*

2406. I did not quite catch the first answer you gave; you are not connected with the shipping trade yourself, I think?—I am not.

2407. You are a manufacturer?—I am.

2408. What class of manufacturer?—Soap and candle manufactureer.

2409. And how long have you devoted yourself

Mr. *Rodwell*—continued.

self to shipping?—When a mere boy I was knocking about in the shipping for some years, as a youngster.

2410. Early impressions?—It was so.

2411. Which have been confirmed by subsequent observation?—They have.

2412. You have never had the task of collecting a crew yourself?—I have seen them collected, not done so personally.

2413. You never had the responsibility yourself?—No.

2414. You have seen people in difficulty to get their crews?—I have.

2415. Considerable difficulty?—I have.

2416. You suggested that if you did away with advance notes and did away with the imprisonment, or power of arrest, which now exists, there would be no difficulty in getting crews on board?—I think not.

2417. Why do you think that?—If a sailor finds that Government has taken that interest in him, and finds him proper clothing at a fair price, I believe there would be no need of such a power.

2418. You mean, then, that you would make the substitution in the event of Government finding him his clothing?—I take it that it would be rather a false position to occupy to come here and suggest the abolition of the advance note, and not be in a position to offer some remedy.

2419. Then what I understand is this: you said you thought that if imprisonment were done away with, and advance notes were done away with, there would be no difficulty in getting crews on board; that is upon the supposition that some good system be substituted for the present system?—Yes.

2420. Supposing there is no substitute, and that Government do not undertake the duty of providing clothes on board ship for seamen, would you still think that the shippers and the captains could well do without the power of arrest?—There would have to be the joint co-operation of the seamen and the shipowner to provide something of a similar character, so that even if the Government did not supply clothes the shipowner would put on board the ship a slop chest at such prices that a seaman would have no cause of complaint.

2421. In the absence of any such arrangement, do you think it would be possible for the captain to collect his crew, or to insist upon the men coming on board unless he had some such power as that would be?—The Act, I take it, would get rid of the crimping system to an extent, and it is the crimping system that brings about, to a very large extent, the very cause why Jack is not on board the ship at the time.

2422. Supposing we say that advance notes are done away with, do you think then that the alteration proposed by Clause 4 would give sufficient power into the captain's hands to collect his crew after the sailor has signed his articles?—I think it would, because there is a subsequent clause that in his absence he would be stopped so many days.

2423. Supposing you have got a vessel at Bristol going to start, and you have 20 hands, and five men are not there, unless you have some summary power, such as the law now provides, how are you going to start your ship?—Under the Employers and Workmen Act there is no

Mr. *Rodwell*—continued.

stoppage of ten days' pay for a man not being at his work.

2424. If you are left to a civil remedy, supposing you are a captain, how are you going to enforce the attendance of men in such a case as I have put; how are you going to get them there?—I think the clause for stopping ten days' pay would be quite sufficient.

2425. But these men are not on board; you want, I am suggesting, the five men on board to start with; unless you have some summary power of dealing with these men who have signed their articles how are you going to sail?—Instead of having summary jurisdiction over the men I should like the old-fashioned register ticket in a modified form.

2426. I want to take this particular case. I want to know practically how you are going to get your crew on board unless you have some power of the description that now exists; that is what I want you to apply your mind to?—In reference to that I have seen so many cases of riot from forcing the men on board, that I think the power of arrest should be abolished.

2427. What cases have you seen?—I have seen the case of the "Viscount Canning," and also a case where two or three of the men were stabbed.

2428. That is very exceptional, I suppose?—It is, but those are not the only ones.

2429. But you have not yet told me how you would proceed in the event of these five men not coming?—If I had the opportunity of explaining it I think I could show it.

2430. I will give you the opportunity. You say a civil remedy would be sufficient?—I do.

2431. How would you apply your civil remedy under that proposed Clause, number 4?—I would re-introduce the old-fashioned registration ticket in an altered form.

2432. I know nothing about shipping myself; I am only looking at the legal consequences of this clause; will you explain to me how you would apply the civil remedy, supposing this Bill passed into a law, and you had a ship wanting these five men, and you had to apply your civil remedy; how, as a captain, will that assist you?—The difficulty I see is this: that a man might, with his last discharge, ship into another vessel, and the crimp would then get possession of the advance note, and all trace of the man would have gone.

2433. I have done with crimps and advance notes and have got to this, that the man signs [illegible] articles and refuses to come on board; how [illegible] you going to apply your civil remedy to [illegible] five men?—If the man had any clothes [illegible] say detain his clothes until some com[illegible] had been made to the owner.

2434. How are you to get his c[illegible] sibly they are on board the ship.

2435. But this man has nev[illegible] the ship; the man signs artic[illegible] certain day and work the shi[illegible] that; I ask you if the captai[illegible] remedy, how you will apply [illegible] the same way as a master o[illegible] towards his workmen.

2436. You think the cases [illegible]

2437. Would you summo[illegible] magistrate to appear two or th[illegible] have the course investigated?—[illegible] the case by the Master and Ser[illegible]

2438. You think that would

Mr. *Moore.*

19 March 1878.

Mr. *Moore.*

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Mr. *Rodwell*—continued.

tection for the captain?—It would be equal law for Englishmen.

2439. That is no answer to the captain who wants to sail his vessel; do you seriously represent, on reflection, that that would be sufficient. I want to know whether these five men would then have to wait, and the other 15 men wait at Bristol, till the case had been before the magistrates, and the magistrates said they were to pay something for not coming?—No, the captain would have power under the Shipping Act to ship five extra men at once if there were five absentees, and proceed without any delay. An owner could proceed against men civilly.

2440. You would abandon these five men who had signed the articles, and get substitutes?—Yes, and then take civil proceedings against the defaulters.

2441. Do not you think that the power of getting these men on board that have signed articles is not only necessary for the protection of the captain and the ship, but also an act of justice to the men who have joined the vessel?—It would be in case they shipped five men of an inferior character. I remember an instance at Bristol in which the captain of a ship was short of his crew, and a boarding-house keeper placed on board two men recently discharged from prison, neither of whom had ever been to sea a day before in their lives; but the captain discovered at once the class of men he had on board, and he sent them back to Bristol again.

2442. Therefore it would be necessary for the captain to secure good men?—Yes.

2443. Have you ever been [illegible] Yes, but not foreign voyages. [illegible] voyage?—

2444. And you have seen [illegible] ard?—Yes, I have. [illegible]he discipline on bo[illegible]445. And acts of breach [illegible] not. [illegible]f discipline?—No, I have [illegible] How many voya[illegible] yachting. [illegible]ges have you been?—Principally [illegible] expres[illegible]

2447. You [illegible]he owed your views as to the power which [illegible]captain should have over his ship's crew when he was afloat?—I did.

2448. Have you ever been afloat yourself, so as to form an opinion as to what degree of discipline is necessary, and what power should be entrusted to the captain?—My impression is that there are sufficient powers under the present law.

2449. You are dealing with general principles, [illegible]t speaking from special knowledge?—No.

Mr. *Corry.*

[illegible] You said that mixed crews very often [illegible]cord on board ship?—They do.

[illegible] you know anything of the character [illegible] seamen that go in ships going on [illegible]?—I do.

[illegible] the general character of them? [illegible]ns, Danes, Swedes, and Ger[illegible]idered first-class men.

[illegible]hink that those men going on [illegible]men would cause disturbance? [illegible]men.

[illegible]es of men?—I would say [illegible]Austrians, and Spaniards.

[illegible]tter of fact, are there many [illegible]ns, or Spaniards shipped as sea[illegible]glish ships?—I have seen a good [illegible]board; at Cardiff especially.

[illegible]reign voyages?—Yes.

Mr. *Corry*—continued.

2457. And were these men shipped at the shipping office?—They were.

2458. Or only put on board as substitutes?—In some cases put on board at the pier-head as substitutes, but in most cases shipped at the shipping office.

2459. You seem to have known a good deal of the evils of the advance-note system; have you ever cashed any of the advance notes yourself?—I have not, but I have watched the surroundings of it.

2460. And do you mean to tell the Committee that if the advance-note system was done away with, the power which the law gives the owner and the captain of putting his men on board now on the pier-head could be done away with?—I think the men would go on board voluntarily when they found that there were all the proper provisions made for the continuation of the voyage.

2461. You are not a shipowner yourself?—I am not.

2462. And you do not know of any of the difficulties that captains have in getting their crews on board?—Principally through correspondence, and having taken some notice of that for a series of years.

2463. Your view of that is principally theoretical?—It is theoretical, as well as from observation.

Mr. *Bates.*

2464. I think you said that if Government would have a store, advan[illegible]ce notes could be done away with?—Yes.

2465. Did it ever strike yo[illegible]u that if they had a store, and supplied Jack with h[illegible]is clothes, a sea-clothes?—My man might run away with his no[illegible]aid, "Put the answer would clear that away. I s[illegible] clothes on board the ship."

2466. And Jack goes on board naked, or nearly so, and he puts his new clothes on as soon as he gets on board?—I did not suggest that course. I said that the clothes should be received by the captain or chief officer, who would sign the Government delivery note.

2467. The captain must give them to the man?—At the expiration of three days.

2468. Then he is to be kept naked for three days, is he?—No, I do not say that.

2469. You see men come on board without a pea-jacket sometimes?—I remember a case where a man came on board pinned up with newspapers, at Bristol, where we ought to have a public prosecutor.

2470. Would you keep him in that state, supposing it were winter, for instance?—No, that is a very exceptional case.

2471. Would you at once give that man his clothes that had been supplied to him by the Government, in the depth of winter, for example, if he had no pea-jacket?—It would be charitable so to do, but there would be no protection to the owners should he clear out.

2472. And suppose the ship puts into Plymouth or Holyhead, or the Downs, and the man went on shore and deserted, who would pay for the clothes?—If the man breaks from the ship after she has commenced a voyage, then there are more stringent regulations in force.

2473. Could all those regulations put him in prison?—Yes.

2474. And would that pay for the clothes?—No, it would not.

2475. Now

Mr. *Moore.*

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Mr. *Bates*—continued.

2475. Now you say that the men think that the power of putting men on board without arrest, should be put an end to?—That is my opinion.

2476. Provided that advance notes were done away with?—Yes.

2477. Now have you ever thought of this: do not you think it would be more merciful to the sailor to put him on board, as we do now, perhaps when he has been a little intoxicated the day before, and is not perfectly sober; do not you think it would be more merciful to the poor fellow to put him on board, as now, than to summon him before the magistrate?—I think if there were a law to abolish that, the crimps would take the law into their own hands, and bundle him down the forecastle.

2478. Do you not think; looking to the interest of the seamen, that it would be more merciful to him to put him on board the ship than to summon him before the magistrate, have him fined, and then put him on board and have that fine deducted at the end of the voyage?—I think it would get rid of a good many causes of complaint that the seamen have been complaining of for a good many years.

2479. Do the sailors complain of this power of arrest?—Yes.

2480. Then you mean to say that it would not be more to the interest of the seaman to be put on board as we now do put him, but that it would be more to his interest to have him brought up under summons?—I do.

2481. You think that would be a more lenient plan to the seamen?—A better plan, decidedly.

Chairman.

2482. I understand you to think that masters could get their crews on board partly by persuasion; but that in the way of terror and in extreme cases, the same civil proceedings should be taken against those who neglect to join as are taken against workmen of other kinds who neglect to fulfil their contracts?—That is my opinion.

Friday, 22nd March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Hamond.
Mr. Ashley.	Mr. Shaw Lefevre.
Mr. Bates.	Mr. Macdonald.
Mr. Bentinck.	Mr. O'Shaughnessy.
Mr. Burt.	Mr. Torr.
Mr. Corry,	Mr. Charles Wilson.
Mr. Gorst.	

THE RIGHT HONOURABLE SIR C. B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Mr. WILLIAM TULLEY, called in; and Examined.

Mr. *Charles Wilson.*

2483. You are a Steam Shipowner, a member [illegible] the Shipowners' Association at Hull, a mem[illegible] of the Chamber of Commerce at Hull, a [illegible]ctor of two insurance associations at Hull, an [illegible]sor of the Court of Survey under the Mer[illegible] Shipping Act of 1876, and you have been [illegible]ars co[illegible] during 25 [illegible]

Mr. *Charles Wilson*—continued.

—From my experience of sailors, and of the working of the present Act, it works admirably; and I do not think, in the interest of the sailor, that we could alter it so as to improve it.

2487. Do you think it would be any advantage to the sailor to pass this clause?—No, it would be a disadvantage; because it removes the power from us to protect the sailor against himself; that is what I think.

[illegible]88. If it was defined, so that if a seaman [illegible] join a ship at a certain time and you [illegible]he same law as at present if he did [illegible]ld not that get over the difficulty?

[illegible]ailing to-morrow, and the [illegible]o be on board to-day, [illegible]by a certain hour

Mr. *Charles Wilson*—continued.

to do his work would be liable to arrest, whereas a lazy and ill-conditioned man would not?—It would act in this way. A ship is ordered for sea this morning, and the crew probably come down to join the ship, but for some reason or other, probably a fog, or a storm, the ship is not going to sail. Some of the men will go on board and commence work to prepare the ship for sea, and others will not. If the ship sails the following day, and leaves behind one man who has been at work and one who has not been at work, the man who tried to do his duty by starting to work can be arrested, and the man who never came on board at all is free. That is an injustice which it would do to the good man, I think.

2495. Still, if the man who tried to do his work and joined the ship the first day is not able to join her the next morning, for some good and sufficient cause, that would be taken into consideration, but if, in spite of his good intentions, he got drunk, he ought to be punished, although he had joined the ship?—I think he is the better man of the two; he showed his interest yesterday and tried to do his duty, at any rate, whilst the other man never came near the ship at all, and I do not see why a distinction should be made in favour of the evil-disposed man.

2496. Do you think that a civil action instead of a summary process would increase or decrease the number of men not joining?—It would increase the number, undoubtedly.

2497. Do you think that the owners would ever attempt to commence a civil action at all?—No; the men who do not join their ships as a rule are men that have no local habitation.

2498. What advantage would the owner gain by having a series of civil actions?—I do not see any. First he would have to catch his man, and unless you can serve a summons on the sailor, I do not see how you could commence an action against him.

2499. What would he get after he had caught him?—I do not know. He might get a verdict of 10 *l.*, and the sailor, perhaps, has not tenpence to pay it.

2500. You do not see how this power of civil action would be any protection to the shipowner?—I do not see that it would be any protection to the owner at all. I think it would leave the man entirely independent of the owner and of the engagement that he has signed to perform.

2501. Passing on to the next clause, what have you to say to Clause 5?—My reading of this clause is that it leaves the option to the sailor of receiving money or not receiving it, as he thinks fit, and when he finds the penalty that is attached to receiving cash, he will naturally prefer the advance note.

Chairman.

2502. The penalty is not on receiving the cash, but on bolting with it?—On receiving the cash, and not joining the ship, to which he knows there is a penalty attached.

Mr. *Charles Wilson.*

2503. You mean receiving the cash and not fulfilling his agreement?—Yes; but he knows the penalty attached to receiving the money.

Chairman.

2504. No, you are mistaken; he does not come under a penalty in that case?—There is no penalty until he does receive the money, and he comes under the penalty when he receives it.

2505. The clause says, "Where a seaman or apprentice to the sea service has received money on account of wages payable under an agreement, and before repayment thereof, wilfully and without reasonable cause refuses or neglects to perform the agreement"; it is not receiving the money that there is a penalty attached to; a man may receive as much money as he likes?—It reads like that; but unless he receives the money he is not liable to arrest; and if he receives an advance note instead of money from the owner he is not liable to arrest, and consequently he would elect to receive the advance note, and this clause would be a dead letter.

Mr. *Charles Wilson.*

2506. He would elect to receive the advance note as long as it was legal?—Yes.

Chairman.

2507. He would have the advance note without the money?—Yes, he would prefer that, were there a penalty attached to his losing his ship if he received the money.

Mr. *Charles Wilson.*

2508. Do you think that the advance note should be abolished?—I do not see how it can.

2509. Have you read the evidence of one or two shipowners in favour of abolishing the advance note?—I have seen the evidence in favour of abolishing the advance note, but to my mind it does not convince me that it can be abolished unless some other suitable scheme could be originated, but I fail to see anything.

2510. Are you aware that in Hull there is a regular import of Scandinavian seamen?—I know that they do come to Hull in great numbers, and ship in our ships there.

2511. It is almost like an import trade of seamen; they come in such large numbers, do they not?—I know that those men do come to Hull.

2512. Are you aware that those men come with plenty of clothes, but, as a rule, without any money?—So I am informed; I do not know it myself, and that they come with the idea of getting the advance to start them on their voyage.

2513. Is it a fact in Hull, where the trade is liable to be stopped during the closing of the Baltic navigation, the seamen often become very destitute before the ships go to sea again in the spring?—It is no doubt very often the case.

2514. Would it be an advantage or a disadvantage to those seamen to do away with the advance note?—Decidedly a disadvantage.

2515. Do you think that the foreign seamen being aware that they can get an advance by joining an English ship, is an inducement to them to come to England to join?—It may act in that direction, but I think that would not be the only inducement; I think they come for the better wages as well.

2516. What class of men are those that come?—The best men we get on board our ships, as a rule, are Swedes and Norwegians.

2517. Are they more manageable or less so than the English seamen; are they more sober or less so, or what is their general character?—When they first come to an English ship they are sober honest men, but after a few years they contract some of the habits of English sailors.

Mr. *Tulley*.

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Mr. *Bates*—continued.

2567. If the Government were to set up a store in every port and supply Jack with his clothes, do not you think that would do instead of the advance note?—That is the truck system.

2568. But do not you think it would do, supposing the Government were to tell the sailor, "We will give you a rig out, join your ship and you shall have new clothes, and we will trust to your going to sea," do not you think that would do away with the advance note?—If some one would fit out the sailor for sea without his having to spend any of his own money, naturally he would prefer that.

2569. It has been stated already before this Committee that if the Government would find clothing for the sailors, the advance note might be done away with?—I think it might be done in some instances, but in the short trades from Hull the sailor has to find his own provisions.

2570. Supposing they supplied him with food also?—Yes, that would do, if you gave them a little pocket money besides.

2571. Do you think that without something of that sort it is utterly impossible to do away with the advance notes?—I fail to see any plan myself.

2572. You say that if a sailor got an allowance in cash, and had that money in hand, the crimp would get hold of it?—He would take care to get the amount of his debt.

2573. Supposing a man had got the money in his pocket, do you think the crimp would ever get a shilling of it?—He would have to go and get it as soon as the sailor had it, and he would take care to be there, because if he was not there he might not see it at all; but I think he would take care to provide for that.

2574. But if he was not present, what would you think?—I think his chance would not be very great.

2575. You say that you think five men, or one-third of the crew, when it is a small crew, should be able to demand a survey?—I think so.

2576. Do you think that the owner should have the power of demanding a survey?—Yes, I think he should.

2577. In the case of a sailor saying that the ship is unseaworthy, do not you think it is reasonable that the owner should have a similar power?—Certainly he should, to prove her seaworthiness.

2578. Supposing you sign articles, for instance, on a Monday, and in those articles it is stated that the men are to be on board on Wednesday, do you think it would be possible to keep those men on board from the time you sign articles over the day following, if you were in port?—No, not from Monday to Wednesday.

2579. You think that under no circumstances would the crew remain by their ship as long as she was in port, whether they got wages or not?—Not after they have signed articles. We have cases of men working on board ship in Hull, and as soon as they sign articles they want to go to prepare for sea; they cease work, and take the two days of interval to themselves to prepare for sea.

2580. And nothing would induce them to remain?—Probably not, for the sailor should have some time to prepare himself for a long voyage, and that is what he would do; he would cease work. We have instances of that occurring every day. We have men doing work on board ship for a week or two together who intend to go out in the ship, but as soon as they sign articles they cease work in order to prepare themselves for the voyage.

Mr. *Bates*—continued.

Mr. *Burt*.

2581. You object to Clause 4, which applies the Employers and Workmen's Act to seamen?—Yes.

2582. Why do you object to it?—Because I do not think it is applicable to the case of the sailor.

2583. Why is it not applicable to the case of the sailor?—I think it would work badly in this way, that we have no control over our men at the time that we really require it most, and that is at the beginning of the voyage.

2584. Then it is on the ground of the inconvenience of getting men to fulfil their engagement to join the ship after they have signed articles that you object to it?—After the time of engagement, commences the time that they have to be on board.

2585. Is not that an objection which would be applicable, more or less, to every breach of contract with workmen on shore?—The two cases are quite distinct.

2586. Is there not quite as much inconvenience and loss caused by a workman on shore breaking his contract as by a seaman breaking his?—I do not profess to know what is necessary for a workman on shore; I am speaking now of my experience as to sailors, and I think I know what is requisite for them.

2587. The whole point of your answer, I think, is one of comparison between seamen and other workmen?—There is a great distinction, I think. Under the present law, if a man does not join his ship the captain comes on shore to look for him, and he finds him in the street drunk, and he can take him on board his ship and keep him there until he gets sober and returns to his duty; that, I maintain, is an act of kindness to the man. Now, this clause would deprive us of the power of protecting a sailor against himself and his evil habits, which we have power at present to do in a measure.

2588. If he was quite sober there would be the same power, I presume?—There is the same power with the sober man, and the power of arrest acts upon him as a stimulant to join his ship. In the case of a drunken man, if you ask the man if he will join, the drink in him says no, and I think we should have the power to protect him against that, which the power of arrest gives us.

2589. You speak of the power of protecting a seaman against himself, and you also say that it is to the interest of the seaman to be arrested without warrant; I suppose that applies only to the case of seamen who are under the influence of drink?—If I remember rightly I said we were dealing with the evil-conditioned sailor; that is what I am now speaking about, but I think it is the interest of all seamen that they should be compelled to keep their engagement. For instance, if half of the crew are away drunk and half are on board sober, it is a great hardship that half those men should have to do the work of the other half, and I think it is in the interest of all seamen in that case that the ill-conditioned seaman should be compelled in a fair way to do his share of the work.

Mr. *Burt*—continued.

2590. Do you appear in any way to represent the interests of the seamen, or are you simply giving your own opinion from your standpoint as a shipowner as to what is to their interest?—No; I am not deputed to represent the interests of seamen. I am simply doing it because I am a sailor myself, and, from my experience as a sailor, I consider that the working of the present Act is to the benefit of the seamen. There may be a few cases of hardship occur, I admit, but there are very few laws but what some one suffers under them.

2591. In what condition are seamen usually when they are arrested without warrant or taken on board by force; are they usually or frequently drunk?—Mostly so.

2592. You speak of the interest of the well-conditioned seamen; do you think it is fair to the well-conditioned seamen to have men taken on board in a state of drunkenness to fulfil their contract and to attend to duties which require considerable care?—It is to their interest that the men should be there. When you have the man, although you have him drunk, there is really some limit to the time when he will be ready for his duty, but if you have not got him you do not know when you will have him for duty.

2593. Do you think it is perfectly safe, not only to the men themselves, who may be taken on board in a state of drunkenness, but also to the rest of the crew?—When a man is taken on board drunk after the ship leaves the dock, the ship is at anchor waiting to proceed on her voyage, and then it rests with the captain to wait until his crew is sober before he does proceed.

2594. I was much struck with the remark which you made; I understood you to say that foreigners when they enter our service are usually sober men, but that afterwards contract habits similar to British seamen?—I said honest well-behaved men, but they afterwards contract some of the habits of British sailors, such as what we call giving cheek, impudence, and that sort of thing. Some of them, too, take to drink, but, as a rule, there are not many of them that do that.

2595. I thought you said that they were generally sober men when they came, but that they afterwards contracted some of the habits of the British seaman?—Sober and honest, I think I said.

2596. Have you formed any opinion as to the cause of this deteriorating effect upon those seamen after they commence service in a British ship?—No; there may be many causes for it.

2597. Is it due, in any way, to the evil system which is now in operation?—I fail to follow you.

2598. Is it due, in any way, to the advance note system, or to any cause of that kind?—No, I do not see that that has anything to do with it at all.

2599. I understood you to say that, to give money to the seaman, instead of giving him an advance note, would place him in the power of crimps?—Not place him in their power, but that it would work into the hands of the crimp, and the crimp would prefer it.

2600. You think that, to give him money instead of an advance note, would be preferable to the crimp, and that it would, in fact, be more beneficial to the crimp than to get an advance note?—Yes.

Mr. *Burt*—continued.

Mr. *Tulley*.

21 March 1878.

Mr. *Torr*.

2601. The term "advance note" is not to be found in this Bill, but you have been asked a good many questions about it, and also about the advance of money; can you draw any distinction as to the evil effect or the good effect of an advance to the sailor in the form of an advance note, or in the form of money?—I think that an advance note is preferable.

2602. Do you think that, as a general rule, sailors could be got to go to sea without some money being paid to them in some form or other?—You see we have to provide for all the circumstances that may occur to the sailor, and without an advance, how could a shipwrecked sailor manage. There is the great fact in the sailor's life of being shipwrecked, and losing his clothes, and how could a shipwrecked sailor, losing all his effects, go to sea without an advance. There has been a great deal of distress in the Tyne just now, as we see by the papers, sailors have been starving in the streets, and before they come to that point the sailors have disposed of all their little effects; and then when they get a ship they are half starved, and have no clothes, and what use is it to the master to proceed on a voyage, with a crew in such a state. We have actually had men within the last month walk from Newcastle to Hull to obtain a ship, and how those men are to go to sea without an advance I fail to see.

2603. You would say, as a general rule, that every sailor exhausts completely his money resources before he goes to sea again?—No, he does not do that as a rule. There are some sailors who exhaust all that they can get, and, without doubt, would exhaust more if they could get it, but they are the minority.

2604. You still, as a rule, would say, that sailors do require money before they go to sea, whether they are good-conditioned or ill-conditioned?—Yes. We give it in Hull in the form of an advance note, and an allotment note likewise to the same men. We give an advance note payable at three days, and we give an allotment note payable at 30 or 60 days, as the case may be.

2605. What does the sailor do with the advance note?—In the case of the honest sailor, who had probably been out of work for some time, he may have a family, and the children get part of it for them, and the sailor probably gets a few comforts for himself, and the poor wife coming last, as usual, takes the balance, if there is any.

2606. The other point to which your attention has been drawn more particularly, is the question of getting the sailor on board the ship; that is provided for in Clause 4 in a somewhat different manner from what it has been up to that time; do you distinctly, from your knowledge and your dealings with sailors, as a captain, and probably now as an owner, think that Clause 4 is a practicable one?—I do not think it will work at all. We shall have defaulters tenfold more than we have, and I think that is not the interest of the sailor.

2607. Could you tell the Committee at all what proportion of defaulters you already have?—In Hull, so far as I can get at the statistics, there are about 6 per cent. deserters and non-joiners who have come under notice; there are

Mr. *Tulley.*

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Mr. *Torr*—continued.

official documents from the captain to prove that such-and-such men have not joined. We call them all deserters in this stage of the voyage, and they all come under the head of deserters or non-joiners. I am speaking now of the two together.

2608. Do you mean to say that there is that number after all the power has been used that could be used to get those men on board by your runners, and so forth?—Yes, under the present Act we have about 6 per cent. of defaulters.

Mr. *Charles Wilson.*

2609. Do you know the number exactly?—No, I have not any figures.

Mr. *Torr.*

2610. Do you consider that getting the sailor on board, when he has signed articles, and intends to go the voyage, is benefited by such harsh treatment as may be necessary to get him on board?—I think we must all be agreed that it is to the interest of the sailor that he should fulfil his engagement.

2611. Are you the captain of a ship?—I have been a captain.

2612. With regard to this man that you said had been got on board with the assistance of the runners, you say almost bundled on board, in a state of drunkenness, what did he say about it the next day, when he had got sober; did you find that he was glad enough to go with you, or did he still grumble, and say that you had no right to take him?—He settles down to his position, and turns to his work like a man.

2613. Just as well as the well-conditioned man?—Just so; if he had been left on shore he would still have been drunk, and he would still have continued in the way he was going.

2614. Can you tell the Committee any distinct cases that have happened in your experience as captain; I wish particularly to know the condition of those men the next day; do they grumble as if they had been harshly treated by being got on board?—No, they are not aware how they did come on board in some cases.

2615. But, as having the command of a ship, have you never found that the men were at all disposed to be rebellious because they had been brought on board in that manner?—No. I had a case only a fortnight ago of a steamer of mine sailing from Hull; she started upon the morning tide. I generally take the supervision of her myself, and being on the pier, I heard that there were two men short. The steamer was in the roads at that time adjusting compasses, and there were two sailors short. I found one of the men on the pier, and I requested him to go on board. He refused, he was in drink; and I told him that if he did not go on board I would bring a policeman, and he should take him on board. The man then walked on board the tug steamer, and I took him on board the ship, and I think that I did him a kindness.

2616. You would say that it is specially to the interest of the ill-conditioned sailor that he should be got on board and go his voyage?—Yes, it is so, certainly. He is not treated harshly, he is simply taken on board, and all means of getting grog being kept away from him, the man becomes sober, and he may turn out one of the best men that we have in the ship.

Mr. *Ashley.*

2617. You say that it is not feasible to abolish the advance note, will you be very distinct about that; are you alluding to the case of advances, or to the case of the advance note?—I do not think I said that it was not feasible to abolish it; I said that I failed to see anything as a substitute for it.

2618. Then you would withdraw the expression that it is not feasible to abolish the advance note?—I think I said I failed to see how it could be done unless some other scheme were substituted for it that would work equally as well.

2619. Supposing it is suggested that the substitute should be an advance in cash; what are your objections to that?—My objection to that is that the sailor owing money to the crimp would hand his money over to the crimp and pay him his debt, and he would then spend the balance, and probably would not join his ship after all.

2620. You think he would be more likely to pay the money when he has got it in his pocket than when the crimp has it and gives him exactly as much as the crimp chooses?—No, that is not my meaning; the crimp has not it in his power, as a rule, to give him as much as he chooses. When the sailor gets his advance note he is usually sober, and when he signs articles he is usually sober, and at this stage he makes over his advance note to the crimp, and the crimp out of the balance of it may give him a few miserable effects, perhaps not worth much, but at any rate he gets it, whatever it is. Whereas if it was cash he would not get even that little, probably he would spend all the balance.

2621. But he cannot spend it unless he has got it; he must have got it first before he could spend it?—He would be certain to get it.

2622. But the man must get his money before he can spend it?—Yes.

2623. And he can spend his balance of the advance note equally well?—Yes.

2624. So far as that is concerned, they are all much of a muchness; but is not one of the great evils of the advance note that very fact that you say that the crimp is interested in the sailor and keeps his eye on him, and keeps possession of him until he puts him on board another ship?—Yes.

2625. Therefore would not you say that the very fact that the crimp loses any interest in the sailor by the money only being received in cash, would be an advantage to the sailor?—No, I fail to see that.

2626. After he has cashed the advance note, what is the advantage to the sailor?—He sees him on board the ship, if it is possible to do so.

2627. Do you think that is an advantage to the sailor?—Certainly.

2628. From your experience of crimps, is a crimp very anxious to ascertain the condition of the ship and the quality of the ship?—No.

2629. So that he does no service to the sailor in that respect?—No.

2630. The only service which he does to the sailor is to see him on board ship?—To assist him to fulfil his engagement, and to see him on board his ship.

2631. What means does a crimp employ to secure the attendance of the sailor at the proper moment?—When the ship is waiting for her men, the

Mr. *Ashley*—continued.

the crimp will walk over the town to find them to go on board.

2632. Does he provide amusement for the sailor, and keep him on the spot?—I do not know; I think that the sailor usually provides that for himself.

2633. Does he not often make them drunk on purpose to have less trouble in putting them on board at the last minute?—No, I have not known any cases coming under my notice of that.

2634. With reference to the allotment note, are you aware that that is not what is called negotiable, and that it is only payable to one person, so that a sailor cannot get an allotment note discounted in the way that you suggested just now?—Yes, if he makes it payable to the party to whom he owes money he can.

2635. Are you aware that it is not payable to anybody except his relations?—The sailor finds relations.

2636. What are supposed to be relations; do you think that is ever evaded by the sailor?—I think it is; I think they can make them payable to friends.

2637. Not by law; but have you ever known a case where an allotment note has been negotiated by a third party, and presented for payment?—No, I cannot say that I can state a case coming under my immediate knowledge; I am only giving my opinion that it would act in that way.

2638. You will find that the allotment by the 168th Section of the Merchant Shipping Act is only payable to relations there named, the wife, father, the mother, grandfather, or grandmother, children, and grandchildren, brother, and sister?—If a sailor produces one of those relations, how are we to test it, or who has got any interest in testing it. If he says, "This man is my brother, or my cousin," and I make the note payable to him, how can we test it. We have no interest in testing it.

2639. Is he not obliged before he sails to give the name of the relation to whom the money is to be payable?—Yes, when the note is made out he is asked to whom it is to be made payable.

2640. Therefore, if there was any fraud committed it must be committed some time before he sails?—Knowing that he owed money to this party he would give the name; I am merely giving an opinion that it would work that way.

2641. You do not know personally of any case in which an allotment note has been negotiated and paid for to a third party, not a relation?—No, I am under the impression that we have had them made payable to a friend, but I would not be certain upon that point.

2642. With regard to what the honourable Member for Plymouth asked you about the supply of clothes; to begin with, is it not the fact that even under the now existing system a sailor does very often come on board ship without any clothes at all?—No doubt there are such cases; one does not often meet such a case as that; but he is generally furnished from his messmates, if they have any to spare; they are all kind to each other, and they will help each other.

2643. A proposal in the evidence of a former day was this, that attached to every shipping office there should be a store in which clothes were to be sold at a fixed price, to be determined by, I suppose, the Board of Trade or the Government, or Act of Parliament, and that the superintendent of that store, whoever he might be, would be empowered to accept payment in the form of an advance note and send the clothes on board the ship to which the man was destined, and if the man did not join the ship the clothes would be returned to the store, and if he did join the ship, and the clothes were used, the advance note would be cashed by the owner of this store at whatever date it becomes due; do you see any difficulty in that being carried out?—No, I do not see any difficulty in that after all; but you see the advance notes are required for other purposes besides clothes. I think it would protect the sailor against those tailors, and I think it might work well.

Mr. *Ashley*—continued.

2644. The intervention of the Government or the Legislature would simply be to fix the price, at which the clothes were to be issued, and to empower the superintendent to accept the advance note, and to send the clothes on to the ship, instead of giving them into the possession of the sailor; that would be the only intervention of the Government or the Legislature?—Yes.

2645. With regard to shipwrecked sailors, you said you did not see how shipwrecked sailors would do without advance notes, but I imagine that a shipwrecked sailor is sent home under the Distressed Seamen's Act?—Yes, from a foreign country he is.

2646. When he gets home in nine cases out of ten he has got some wages due to him, has he not, up to the time that he was shipwrecked?—Not always; he may be wreckd before even his advance note has expired.

2647. That may be, but I suppose we must deal with the majority of cases; and I presume in the majority of cases he would have some wages to receive?—There are cases of that kind, of course.

2648. He would have some wages in his pocket when he arrived, his passage home being defrayed by the consular authority?—Yes, if he had not spent it.

Mr. *Bates.*

2649. Shipwrecked sailors get their wages paid, do they not, to the first port where they touch, from the consul at the port, and they are sent home in a ship as passengers?—Yes.

Mr. *Ashley.*

2650. You put it on the ground that the shipwreck was a matter which incapacitated him from fitting himself out?—That is a case that might occur, and if his advance note has not expired he is in debt; there are such cases.

2651. But as to spending, is it likely that the seaman with the character that we know he has got, will refrain from spending every shilling he has got as long as he knows that whether his character is good or bad he will get an advance when he wants it?—He will do that in any case; there are such men, no doubt, that so long as they have sixpence in their pockets they will not deprive themselves of a glass of grog if they want it.

2652. In your opinion, the fact of his being able to get an advance, whatever his character, does not affect his spending capacity at all?—When he is in the stage of having money in his

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pocket he is not often free from the influence of drink; that is to say, speaking of the evil conditioned men.

2653. I will just call your attention to a very sensible thing you said just now; you complained that legislation is more in favour of the evil sailor?—I said that it tends that way.

2654. Is not this a very good illustration of that, that we give an evil sailor the power of getting an advance equal with what we give to the steady and industrious sailor, and making no difference between them under this system of advance note?—It is better that the evil sailor should enjoy privileges under laws that are suitable to the good one, than that the good one should suffer from the contrary.

2655. But the good one would not suffer under a system of cash advances, because he would get his cash advance?—I am speaking generally, not for this particular case.

2656. Do you not agree with me in this, that, under the present system of advance notes, the shipowner does not care a rush what the character of the man, is because he is free from any risk, and he advances equally to the good and to the bad sailor?—But the captain selects the men.

2657. Of course every captain likes to get the best crew he can, but, having got the best crew he can, he is equally ready to advance money under the present system to the better as to the worst sailor?—He makes no distinction; when a captain signs an advance, he signs an advance to all that require it.

2658. You very properly found great fault with the system of tailors' runners and their great power, and you said that you would remedy that by putting restrictions upon them; will you tell me what suggestions you can make as to putting restrictions upon the tailor's runners?—I think Clause 26 applies to that. I said I was satisfied with the wording of Clause 26.

2659. That Clause 26 applies to a vessel arriving?—Yes; and I am speaking of arriving now.

2660. Does not the evil effect of those runners and crimps equally apply in the case of seamen at ports when they are waiting to find a ship, and do not those runners get hold of those men under the system of advance notes?—I am sure I do not know at what other stages they get hold of them. I only know that they get hold of them on arrival.

2661. Do they not get hold of them at all stages?—No doubt they do if they can.

2662. Would not the destruction of the present system of advance notes completely take away the trade and business of those tailors' runners that you complain of?—No; I do not see that: if the men could get cash they would depend upon getting it from them.

2663. You mean the boarding-house runner and the crimp?—The boarding-house runner only comes into play when the sailor arrives.

2664. Who is it that comes into play when the sailor wants to find a ship; do you call him a crimp?—It is difficult to know what really is the meaning of a crimp. A crimp proper, I take it, is a man who kidnaps sailors; but there are different stages of crimps. I think we may take a tailor crimp and a boarding-house crimp as minor sort of crimps.

2665. Whether you call them boarding-house runners, tailors' runners, crimps or kidnappers, do not those men have a way of making their living entirely out of the proceeds of advance notes?—No, a sailor is of more value when he arrives off a voyage, and he is of the least value when he is going away. He arrives with 20 *l.* or 30 *l.*, as the case may be, after a long voyage, and it is then that he is valuable to the tailor's runner.

2666. Then it is only a part of their earnings that these people make out of their advance note?—Part of their earnings.

2667. You said you thought that if this Clause 4 was passed, and the power of arrest without a penalty was done away with, there would be tenfold greater breaches of contract?—Yes.

2668. Is that really your deliberate opinion?—It is.

2669. According to you the percentage of sober, steady seamen amongst existing seamen must be very small indeed?—But it would deteriorate the steady seaman; I think he would hold back from joining until the last moment for fear he might fall off and not join. I think it would act thus with a good man: he would say, "If I go to work to day, and by some chance should miss the ship to-morrow, I can be arrested, but as long as I keep away and do not go near her at all to-day and I miss to-morrow, I cannot be arrested." I think that it would act on a good man in that way that he would hold aloof, and he would not join so soon.

2670. I suppose that evil-disposed drunken sailors, whom you describe, quite take it as a matter of course now that they should be fetched off either by a policeman or by somebody in authority?—No, they often find their way on board themselves. In this very case that I was speaking of there were three drunken men in the forecastle asleep when we left the dock, and we had several tidesmen on board to assist the ship out in the roads.

Mr. *Corry.*

2671. Have you had considerable experience in getting crews on board ships both for sailing and steamships?—No, not getting them on board; I have seen them get on board.

2672. From your experience will you tell me whether sailing-ship captains have more difficulty in getting their crews on board than steam-ship captains?—I do not think there is much difference between the two. I think there is equally as much difficulty in getting the crews on steam ships as sailing ships.

2673. Do I understand that steam-ship owners give advance notes as sailing-ship owners do?—Yes, in the same way.

2674. Then it would not be correct to say that as a general rule steam-ship owners do not give advance notes in Hull, so far as your experience goes?—No, it is not correct; they do give advance notes, all of them.

2675. You have told the Committee that from your own observation and your own experience as a sailor, it is of great advantage to the sailor himself to be put on board?—Yes, I think so.

2676. Supposing that seamen are shipped to join a ship, say this morning at six o'clock, and the tide time does not happen to be until 12 or one o'clock, do the men come down at six o'clock in the morning to join the ship?—Numbers of them do.

2677. When they find that the tide time is not till

Mr. *Corry*—continued.

till 12 o'clock, what do they do?—The ordinary work of the ship.

2678. Do the seamen go on board?—Yes; and we have to provision them.

2679. If a sailor has to be on board at six in the morning, and the ship does not go to sea till 12 in the day, does he go on board at six in the morning?—We have men who join the ship at that time; it is very rare that they all are there; some of the men will be there.

2680. May we take it that the majority will not go on board?—No, I cannot say that; sometimes there are two or three absentees only; it varies.

2681. When a ship is leaving the dock gates, what proportion of the men do you find generally not on board?—We often have them all on board; sometimes we may have two or three ashore, or there may be half the crew ashore. It varies in different cases.

2682. When does your difficulty arise in getting the men on board?—We cannot find them at all sometimes.

2683. If they are on board you must be able to find them?—Yes, if they are on board.

2684. You say that generally a large proportion are on board, so that there can be no difficulty in finding them?—No, certainly not, if they are there.

2685. Where is, then, the difficulty in getting the crew?—It is owing to the absentees; the ship cannot go till her crew is complete. They cannot go with those they have, and we must find the balance of the men that are wanting, and the consequence is that the ship has to anchor in the roads, and those men have to be looked up, and if they cannot be found then we have to ship substitutes.

2686. Would you be surprised to hear that out of a crew of 30 men shipped to go on board a large sailing ship, the only men on board when the ship hauled out of the dock gates would be the officers and the apprentices?—No; that might probably be so; I daresay that such instances do occur. I have not met with such an extreme case as that in Hull.

2687. Do you find any difficulty amongst the seamen from foreign sailors being amongst them?—None at all. There is a little difficulty perhaps in the first voyage if a man does not understand English, but the main body of sailors will take kindly to him, and try to teach him.

2688. You do not find that English sailors are jealous of foreign seamen?—No; I do not find that in my experience.

2689. You think it desirable that the captain or the owner, or his agent, should have control over the seaman at the beginning of the voyage, so as to get him on board?—Yes, after his engagement commences, I think so. We can always keep them in leading strings better when the voyage is commenced, the men fall into a groove, and they are more amenable to discipline; but at the beginning of the voyage the difficulty is to get them on board and get them fairly settled. On severing all their family ties and friendships they are inclined to take a glass or two of drink, but when we get them over that stage there is no more trouble.

2690. Will you tell me from your experience what you know of married men who have families in Hull; perhaps the husband happens to go on

Mr. *Corry*—continued.

board a steamer or a sailing ship, and he may get drunk prior to the sailing of the ship; are not his wife and family very anxious indeed that that man should be put on board in some way?—That he should go on board certainly.

2691. And do you think that they object to the power the owner or the captain has of being able to put that man on board?—They do not object at all; they are very much obliged to him for it; they are very thankful to anyone that will take steps to get the man on board.

2692. They cannot induce him to go on board, and consequently they do not object to the owner or captain having the power of using some force to get him on board?—They do not object at all, or at least I never heard of an objection.

2693. Very often those men turn out the very best men that are on board the ship, do they not?—There are many cases of the sort; you do not know who are your best men till you start on the voyage; and a drunken man you may have no chance of testing till he comes round to his senses; and he may be the best man that you have in the ship when he gets away.

2694. With regard to those tailors' runners, as you call them, I presume that they have a better chance of making money off a sailor when he is arriving than when he is going to sea?—He is of no value to them when he is going to sea. It is only when he arrives that the tailors' runners come into play.

2695. But there is no way, is there, of preventing the tailor runners from getting hold of a seaman after he leaves the ship?—No, I do not see how you can prevent them. A sailor is a free agent when he is out of the ship. You may prevent them coming on board, and I think it would be a kindness to the sailor to do so, but after he gets on shore he is a free agent, and I do not see what you can do then.

2696. Still he is under the control, or is likely to come under the control, of the tailors' runners after he leaves the ship just as much as he is before?—Yes, if he is not already arranged for on board by the tailor's runner.

2697. You have been asked by the honourable Member for Poole with regard to sailors getting clothes on board; is it a fact that very many owners and captains do provide clothes to be supplied to the seamen on board?—That was more in vogue, I think, some years ago than it is now. I think that if the owners would do it themselves on a little profit on their outlay it would be an advantage for sailors going on board with few clothes, for a 12 months' voyage is a long time for a man to look forward to to lay in clothes; and clothes are very much destroyed at sea. I was told the other day in Hull by a boarding master there that he has 50 sailors' clothes chests in his house. A sailor leaves what he calls his Sunday clothes behind to be taken care of by the boarding master till his return.

2698. He only takes with him his working clothes?—Yes, merely his working clothes.

2699. Because the fact is that really he does not care very much how he is dressed when he goes on shore in foreign ports?—Yes. I am speaking now of the provident and respectable sailor. I believe that to be the case with them, because I know it is the system that sailors will leave their best clothes behind in the hands of the

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the boarding-house master to be taken care of till their return.

2700. When you were at sea yourself, and had charge of a ship, did you find much difficulty in keeping up discipline on board?—No, not after once the voyage was commenced.

2701. The great difficulty that captains have to deal with is generally about the commencement of the voyage, is it not?—The greatest difficulty is getting the men on board, and in the first week or so of the voyage. After that things work better; you have sufficient control over your men in foreign ports. The captain, in his discretion, gives them a little money to go on shore, and when that is finished they come back; they do not understand the language of the country. Our difficulty is not there, our difficulty is in commencing the voyage.

2702. We may take it from the evidence which you have given to the Committee that you consider that any interference with the present law as to the power of the owner or the captain of getting their men on board ship would be both to the disadvantage of the shipowner and of the sailor himself?—Decidedly, I am of that opinion.

Mr. *Macdonald.*

2703. You have told us that the tailor's runner comes on board with the view of giving the men articles which are inferior in name, and consequently robbing them?—He comes on board with the view of taking the men to his master's shop to buy clothes.

2704. To sell inferior articles at high prices?—That I presume. I do not know from my own experience, but I should say from the way in which the transaction is done that that would be the case.

2705. I think that, in answer to the honourable Member for Hull, you stated that the tailors' runners were as bad as the crimps; what do you mean by that?—They are a species of crimp.

2706. What did you mean by that?—I do not remember saying that they were as bad as the crimp. They are a crimp; there is the boarding-house crimp, the tailor's crimp, and the kidnapping crimp; there are so many stages of the article.

2707. In point of fact, you believe that it is an evil to the seamen coming off a voyage, the tailor's runner being allowed to go on board ship?—Yes, a great evil.

2708. That is because he takes advantage of them?—Not only in that way, but he takes on board a bottle of rum with him, and sometimes those men are nearly drunk as they leave the ship before he gets them to the shop. They will say, "Jack, have a drink out of my bottle," and if they think that one is making greater running than the other, another will come forward with his bottle. That is the evil it does as much as anything.

2709. Then the tailor's crimp comes on board to take advantage of the sailor?—That is his aim.

2710. And the boarding-house crimp, after the tailor's crimp has done with him, gets hold of him to take advantage of him as well?—That depends upon the class of boarding-house. There are respectable sailors' boarding-houses as well as disreputable ones.

2711. But really and truly the one party wants to rob him when he has the money, and the other party wants to take advantage of him when he has got the advance note?—There is usually some money left for the boarding-house master after the tailor has done with the man, unless he has been on a short voyage, and what the boarding-house master is then dependent upon for his board is the advance note.

Mr. *Macdonald*—continued.

2712. So that the one wants to rob him when he comes into port, and the other wants to rob him before he goes out of port?—I do not suppose they are particular whichever stage it is, they rob him when they can.

2713. Has the boarding-house crimp or the tailor's runner at the present moment power to come on board your ship?—As to the tailor's runner there is nothing to prevent him.

2714. Do you tell me, as the master of a ship, that you cannot prevent a tailor's runner coming on board your ship?—Yes, you could if you liked; but there is no law to prevent him except the master of the ship refuses to allow him.

2715. Do you tell me that a man may enter your ship, and that there is no law to enable you as captain of the ship to keep that man out of the ship?—I can prevent him, but there is no law to prevent him without my authority.

2716. Have you not sole authority on board ship; have you not all power on board ship?—But I am not always there; when the ship comes into port, I am probably at the custom house, and the pilot is in charge.

2717. Is not the first officer left in charge when you leave?—Yes.

2718. Has the first officer when you have left, not the full power that you have?—He has, if he cares to exercise it.

2719. Why then do you come and tell us that; at the present moment a crimp can come on board, when you have full power and full authority on board your ship, and not even Her Majesty dares come on board without your consent?—I should not go so far as that, I think.

2720. No one would have authority to come on board unless he was a custom-house officer?—You cannot prevent a custom-house officer coming on board.

2721. You say, in answer to the honourable Member for Hull, that you think that the present law works admirably, and that it would be a disadvantage to the sailor if there were any alteration made; has the sailor asked you so to express this matter for him?—No.

2722. Then this is your opinion?—My opinion as a sailor.

2723. You are not a sailor now?—I beg your pardon; I shall be a sailor as long as I live.

2724. Then, as a sailor, you thought it was quite proper that you should be liable to arrest by five different persons, and taken through the streets handcuffed, or in any other form which those who arrested you thought fit; that was your feeling when a sailor?—This is what I said, that if a sailor was drunk in the street, who had signed to sail in a ship, it was a kindness to that man that the captain should have the power to take him on board, and give him an opportunity of getting sober.

2725. I am asking you now this question as a sailor, do you think that the power of arresting you was a beneficial law for you?—It was for my benefit.

2726. And as a sailor, you would not like to

Mr. *Macdonald*—continued.

see that altered?—I should not like to see it altered.

2727. Are you speaking now as a sailor?—Yes.

2728. As an owner or shipmaster, you would no doubt desire that the law should be equal for the sailor and for the shipowner?—Yes, I would not take any advantage of the sailor.

2729. It is in consequence of the breach of contract by the sailor that he becomes liable to arrest by five different persons, and to be carried, handcuffed it may be, to gaol?—It does not always follow to gaol; some of the arrests are put on board ship.

2730. It is for his breach of his contract, and on the representation of the shipmaster, the captain, the owner, or the agent, that he may be arrested?—Yes.

2731. Do you think that, under such circumstances, if it is right to arrest a seaman on the statement of any one of those five different persons, it may not be just as right to arrest the owner or captain and drag him through the streets, and perhaps handcuffed for a breach of his contract?—The shipmaster, owner, or captain can be arrested for a breach of contract.

2732. Will you tell us where that is to be found?—I am under a contract to provide a seaworthy ship for that man, and if I do not do so, I am under a penalty.

2733. I am asking you this question, can the shipmaster, or the captain, or the owner, or anyone of those persons who have power over the seaman, be arrested summarily, without a warrant, and travelled through the streets of Hull, it may be handcuffed, to gaol, under the existing law, for breach of contract to a seaman?—They do not break articles.

2734. Can they if they do break them?—I do not know what would constitute the breaking of articles on the owners or the captain's part.

2735. I ask you again, if the captain, the owner, or the agent of the ship, breaks, or the seaman thinks he breaks, his contract made with him, can either the one or the other be arrested without warrant and taken, it may be, through the streets of Hull, committed to prison and detained until it is ascertained whether he had broken the contract or not?—No, I do not know that there is any penalty attached to the owner for breach of contract in the articles.

2736. Then, do you tell us as a man who professes to have some degree of fair play, that you would like it continued that the seaman should be liable to this state of things, while the owner should be entirely under a civil contract?—I said so, but I think I have told you why.

2737. Will you tell me why?—For the reason that we have power to put a man on board ship to get sober.

2738. I am asking why the owner should be placed in that position, that he should not, on the representation of the other party to the contract, be liable to arrest and placed in prison?—I do not see that the cases are analogous; the one is the employer, the other is the servant.

2739. Then, because he is the owner, and because he is the employer, you would not send him to prison arbitrarily without arrest, and then try him after you had arrested him to find out whether he has been guilty of a breach of contract or not?—The magistrate deals with those

Mr. *Macdonald*—continued.

cases; he does not convict all the men that are brought before him.

2740. Certainly not, and that is the very reason I am coming to that question; many an honest man who has not broken his contract is arrested?—Not who has not broken his contract. There is nothing to arrest him, for if he has not broken his contract.

2741. Is it not a fact, that in Hull numbers of seamen who have been brought up for breach of contract before the magistrate have been liberated as not having broken the contract?—No, not for not having broken the contract; I do not know of any case of that.

2742. In no case have the men been dismissed?—Yes, they have; but it does not follow that all the men are convicted, although all of them may have broken the contract. I myself have had the relatives of sailors come and explain to me a satisfactory reason why the man has not joined, and I have looked over the case and not prosecuted the man at all, and even when he has been arrested I have spoken in favour of mercy for him if there were palliative circumstances.

2743. I want clearly to understand you, that you think it is proper for a seaman to be arrested by one of five persons at any moment on the representation of any one of those persons, handcuffed, taken to prison, and submitted to the prison rules until he is tried, in order to find out whether he has committed an offence or not; do you believe that to be right?—No, not to go through all that process, because I do not know that he does.

2744. Is there any part of the process that you think is not right?—I do not know, I am sure; I have never seen the handcuff process used with a sailor in taking him through the street; if he is sober he goes himself, and if he is drunk they carry him.

2745. Then you think it is also right that the owner, or the agent, or any one connected with the ship should not be liable to arrest, because he is in the position of the employer?—I do not see what there is to cause him to be arrested.

Chairman.

2746. I understand the honourable Member for Staffordshire's question to mean this: supposing a master had entered into a contract with a seaman to join his ship at a certain period, and sent his ship to sea before that period arrived, or refused to let him join, would he be amenable to law for such breach of contract on his part; would there be a criminal remedy against the owner for such a breach of contract?—No, I think not; at any rate, he is liable to a civil action.

Mr. *Macdonald.*

2747. Then you are satisfied with the state of things?—I am satisfied with the state of the law as it stands.

2748. You stated, I think, in your evidence to the honourable Member for Hull, that the families and the wives of sailors were pleased to know that their husbands were put on board the ship drunk; have the wives and families come and told you so?—I do not think I said that; I think this is what I said, that the wives and families were pleased, when the husband was drunk, that he was put on board the ship; not pleased that he was

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was put on board drunk, but pleased that when he was drunk he was put on board.

2749. Have the wives and families told you so?—I have been there when ships have gone out, and I have seen them trying to persuade men to go on board.

2750. Have they told you that they were pleased when their husbands were put on board by force?—I do not think that the honourable Member is right in saying that I actually put it in words in that way, but I have seen them persuading them to go on board, and they have not succeeded in getting them there. I have exercised my authority as captain and done so, and, therefore, I think it follows that they would be pleased to get them on board.

2751. You have arrived at that conclusion without the slightest information from them?—Except from my own observation.

2752. Would not it be better to confine ourselves to our own views in these matters without endeavouring to prove to this Committee that you know that they are the real views of seamen or seamen's wives?—I think I have sufficient ground, from what I have stated, for saying that.

2753. You said you think that the advance note cannot be abolished; can you tell me why it cannot be abolished?—I said I thought so, unless some other feasible scheme could be originated to take its place, that would work as well.

2754. You also said, did you not, to the honourable Member for Hull, that giving a seaman cash would be an advantage to the crimp?—Yes.

2755. Can you tell me how it would be an advantage to the crimp?—I explained it at the time, but I will go over it again if you wish, in this way. Speaking of the boarding-house keeper, if a sailor owes him 2 *l.* he would much rather that he could obtain the money in cash from the owner and hand it over to him, than that he should be required to advance more money on the advance note before he gets his 2 *l.*, the payment of that advance note being consequent on the sailor going in the ship, but with a cash advance it is not so.

2756. But if he gets the cash, what advantage would it be more to the crimp?—The crimp gets his two sovereigns, but in the case of the advance note he has to risk more money after it before he gets it, because there is the balance of the advance note which he has to hand over to the sailor either in money or in kind. If the sailor owes the crimp 2 *l.*, and he comes to the crimp with his advance note for 3 *l.* 10 *s.*, the crimp gives him the balance of it, or part of it, and that advance note is only of value if the sailor proceeds with the ship. If he does not go with the ship, the crimp does not get the money at all, and the second state of that crimp is worse than the first.

2757. Then the advance note is really for the benefit of the crimp according to that showing, is it not?—No; the cash is of benefit to the crimp. If he can get his two sovereigns without any further risk, it must be better for him than advancing further money on an advance note, which is a doubtful security.

2758. When is the advance note delivered to the seaman?—When he signs articles.

2759. When does he sign articles; how long

Mr. *Macdonald*—continued.

prior to the ship going to sea?—Usually two days.

2760. It has been stated in evidence here that the majority of seamen are put on board drunk; is that your experience?—No; not in Hull.

2761. And that the majority of seamen that have been in the hands of crimps are put on board drunk; is that your experience?—No; not the majority.

2762. Then the crimp has an interest in putting on board sober men?—His interest is to get the man on board to get his advance note; the advance note is of no value till the man sails in the ship; the advance note is of no value to the crimp until the sailor signs his name at the back of it in giving it over.

2763. You were asked by the honourable Member for Plymouth if the Truck Act did not apply, or whether it would not be a species of truck if the owner gave the seamen clothing?—No doubt that would be the truck system, I think.

2764. Do you know anything about the Truck Act?—Only this, that I take it to be paying a man in kind and not in cash.

2765. Are you aware that sailors are not under the Truck Act at all, and that the Truck Act was passed for particular classes of people, and that sailors were not included amongst them?—Sailors have been subject to the truck system ever since I can remember sailors.

2766. But there is no law prohibiting it in any way?—No, I do not know of any.

2767. Then the Truck Act does not apply to the sailor?—I am only speaking as to the truck system, but not of the Truck Act.

2768. Is there any law prohibiting seamen from receiving clothes in payment of wages?—No, I am not aware of any.

Chairman.

2769. You stated at the beginning of your evidence that Clause 4 would remove all control over the seamen at the beginning of the voyage, because they would not make a distinction between the sort of discipline necessary before joining and after joining, although perhaps a seaman might not see the difference; I want to know whether you do not see the difference between dealing with seamen as other workmen while remaining still on shore and the necessity for a different kind of discipline when they are afloat?—I may see the difference of the working of the two, and I do see it, or I should not be able to say that I think the sailor would fail to see it. I think that if he found that he was not amenable to discipline at the beginning of the voyage, it would have the effect of making him think afterwards that he was not amenable to discipline during the voyage. I think it would have that effect upon his mind; he would fail to see the difference that he could not do as he liked as much in a foreign port as he could in an English port.

2770. You said that you thought that a definition was wanted in Clause 4 of the meaning of the words "joined his ship;" do you not suppose that that would be generally understood, and certainly interpreted to mean going on board, on duty?—That is what I take it to mean, but I do not know if it means that in the eye of the law.

2771. You think that there would be a difficulty in interpreting the words "joined his ship" without

Chairman—continued.

without some further definition?—Yes, I think so.

2772. You said that if a master had to get a substitute for a man not joining, and the man then made his appearance, he might have to pay the other man also; do you know any instance of a master having been so obliged to pay a man who had not joined, and his substitute also?—No, I do not know of any instance where he has had to pay, but I believe it is thought that the law would give it to the man, for this reason: if the case came before the magistrate, the magistrate might say that a reasonable time should be allowed the man to join his ship.

2773. Do you think that if a man had failed to join for so long that the master had taken a substitute, that any magistrate would make the master pay both?—I think if he has shipped by the month he would claim a month's pay if he could prove to the magistrate's mind that he had not had a reasonable time given him to join his ship.

2774. Do you think that the 4th clause might be more acceptable to you supposing there were this added to it, that if seamen failed to join at the time named in the agreement their agreement might be cancelled by the master?—That would give us freedom of action in shipping substitutes.

2775. Would not it lead to the masters getting their men on board a short time before sailing?—We have no certainty that the second man, the substitute who shipped, would join.

2776. Supposing the law was, that if a man failed to join at the time named in the agreement the master might cancel the agreement, would not that gradually lead to the habit of masters naming the time in the agreement, say, 12 hours or 24 hours before the time they intended to sail?—Yes, that might work so.

2777. Would not it be a desirable thing?—It would be preferable to what now exists.

2778. Is it not often the case that shipmasters do manage to get their men on board 12 or 24 hours before their sailing?—Yes.

2779. And in that way they very often get their men sober before the voyage begins?—Yes, they get their men on board at work during the day, but if the ship remains overnight the men will go ashore and return the next morning, and there is the danger that if there is a night intervening the good men that I spoke of may get astray. You would not be able to keep sailors on board in dock after they were once on the articles, as a rule.

2780. In many ports is it not the habit to get the men on board, and get a mile or two out from the dock and remain till the time of sailing?—Yes, it is done in the roads, or wherever the anchorage may be.

2781. Can that be done at Hull?—Yes.

2782. And it is done, is it?—Yes, it is done; we are compelled to do it by men not joining.

2783. You stated that civil proceedings would be useless, because you could not catch your man; but it appears from your evidence that you do now habitually catch your men at the crimps' houses, and you find them on shore drunk; would there be more difficulty if the 4th clause was passed, in your finding your men?—No, I do not see that there would be any more difficulty, but we have that difficulty to contend with.

2784. But you have no more difficulty now in finding your man with the assistance of the shipping office runners; it is a most common practice to do what another witness called, hunt up defaulters, before sailing?—Yes, we have difficulties in finding our men now; we do not always succeed in finding them, or else we should have no defaulters.

2785. Still, I think your account was that you generally found them on shore drunk, and you bundled them on board with the help of the runners?—Yes, when we do find them.

2786. I want to know whether what you describe as bundling them on board with the help of the runners is what you mean by arrest without warrant?—Yes, if I said so; but I do not remember using the word "bundling" on board.

2787. Is that what you mean by arrest without warrant?—That is what I mean by the power of arrest without warrant, which would be a benefit to the sailor.

2788. I presume that that is not the exact legal meaning of arrest without warrant?—I only look at it in that light with respect to the sailor.

2789. It is practically arrest without warrant which is in use?—It is what is used daily in Hull with sailors you require to be on board.

2790. Your proposal about checking the tailor runners is pretty well met by the 26th clause, according to your view?—Yes, I think that would meet the case.

2791. You objected to a single sailor, being able to allege in his defence against a prosecution for desertion that the ship was unseaworthy, and said that the existing law, which required five men, was better; are you really contented with the existing law, according to which, supposing only four men were prosecuted for desertion, alleging that the ship was unseaworthy, those four men should have to go to sea and be drowned contentedly?—The question is, would they be drowned?

2792. Cannot you conceive of cases in which a single seaman might very fairly allege the unseaworthiness of the ship as an excuse for not having joined?—I do not think that a single seaman would take the responsibility.

2793. If he did, it would be hard, would it not, to force him to go to sea and be drowned?—Yes, it would; but anything that would only attract the notice of one sailor would not be a very great defect.

2794. Are you aware that under the existing law and under the Bill as it is proposed, a seaman cannot demand a survey; he can only ask the court to have a survey, and the court must first make up their minds and satisfy themselves that he has made out a *primâ facie* case that the ship was unseaworthy before they order a survey, the words of the 9th clause being, "The court having cognisance of the case shall take such means as may be in their power to satisfy themselves concerning the truth or untruth of the allegation," before they order a survey?—I do not see what means they would have of satisfying themselves without seeing the ship, which is really a survey.

2795. But they would have every means in their power, would they not, of ascertaining whether there was a *primâ facie* case?—The court might not like to take the responsibility. As you say, if they said there was no case, and

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the man was supposed to go back on board and was drowned, they might be very uneasy afterwards; no doubt that might be the case, and assuming that that was the case they would order a survey; I think it would have that effect upon them.

2796. You were asked upon this point whether the owner should not have a similar power to demand a survey, and you said, Yes; did you mean by that, that the owner being prosecuted might demand a survey in his defence?—Yes.

2797. Or do you mean that the owner at any time might demand a survey of his ship at the expense of the public?—No.

2798. I presume that any owner may have a survey of a ship at his own expense at any moment he likes?—Yes, I suppose so.

2799. Then the real question would be whether he should be allowed to order a survey at the public expense; you do not mean that he should have the power to demand a survey of his ship at the public expense at any moment?—No; I mean that if the character of his ship was brought into question, he should have a right to order a survey.

2800. At the expense of the public, or at whose expense?—I suppose at the expense of the public; it seems very hard that the owner should have to pay for it. Then the question comes at whose expense would the sailor's survey be held?

2801. At the public expense, unless it was shown that he had acted without cause and frivolously, and then he would be liable; but with regard to Clause 21, which calls upon the master to deliver an account of wages to a sailor on his leaving, you see the object of that clause is that the seaman should be enabled to get home on leaving his ship as quickly as possible, and that, therefore, instead of having to wait four days to have his account made out, the master should give him a few shillings to pay his fare home, and leave the account to be settled with the superintendent, and sent by Post Office order; but you seem to think that it is impossible for a master to give an account of wages and deductions upon a man leaving the ship, because he must communicate with the owner with regard to the advance notes; but with the exception of the advance notes, might not the master and the seaman keep a current account which would require no investigation at the time of leaving the ship?—There are the allotment notes as well as the advance notes, the former of which are paid monthly.

2802. Supposing the master to keep an account with his seamen during the whole of the voyage of all advances for stores, or anything else, or of fines during the voyage, and he had a counterfoil which he could tear off, and give to the seamen at the end of the voyage, there would be nothing more to deduct, would there, but the allotment notes and the advances?—That would be all, I suppose.

2803. Those allotment notes and advances would be quite within the cognisance of the superintendents afterwards, and, therefore, there would be no difficulty in the superintendent knowing what to deduct; what, therefore, would be the difficulty in a master giving a counterfoil to the seaman of his current account, and leaving it to the superintendent to settle the account

Chairman—continued.

afterwards, having the means in his power to ascertain what allotments or advances had been made?—There is this difficulty attending it: the sailor gets money up to the time of the ship sailing from the last port. The difficulty would be in short-voyage steamers, but not in long-voyage ships; there is a long interval between the ship sailing from her last port and arriving, in which interval the captain may have time to make up his accounts as to the sailors' debits. He cannot make out his wages account, as he does not know the day he will arrive; he can only make out the sailor's debit, and not his credit, so far as he is himself concerned; but for short-voyage steamers, running, say, to Cronstadt from Hull, the captain's duties become very onerous immediately on leaving port, and they continue so until his arrival, and his mind should not be taken from the navigation of a ship during this to attend to accounts.

2804. Are not all the entries made at the time during the voyage?—Yes, but if he is to furnish the men with the accounts, he would have a separate account to make out for each man.

2805. But if a form of account was supplied to him by the Board of Trade, of which there should be a counterfoil to each man, which should be torn off that account, he would have nothing to do on the seaman's leaving the ship but to tear off the counterfoil, and give it to him?—That could be done, but there are the exchanges to be considered, and all those calculations to be made.

2806. Is there not very great advantage in enabling a seaman to get away home as soon as possible, so as to avoid the crimps?—Yes, if he could get away, but I think it would be a hardship to the captain to be required to do this.

2807. Supposing this account made out, with no hardship to the owner or the captain, would not it be most unjustifiable, and exposing the seaman to the crimps, to give him 24 hours during which the crimps might get hold of him?—That would be so, if the sailors would go away.

2808. With regard to the advance of money instead of an advance note, do you think that any master would ever advance money to a sailor, except to a seaman whom he happened to know and had perfect confidence in; would any master, to a common seaman whom he meets at the shipping office, be likely to advance cash?—No.

2809. Do you suppose it possible that any master of any vessel would be so credulous?—I do not think he would do that, if he did not know the seaman.

2810. You stated that you were afraid that by cash advances you would lose the advantage of the hold that the crimp has upon the man, in inducing him to go to his ship in order to render his note cashable; it certainly would be an advantage simply to the owner, would it not; it is only the owner who would gain any advantage by the crimp forcing the man on board?—The man himself would get the advantage when he has made an engagement, of performing it.

2811. A dishonest man might think it better to get any number of advance notes and not go on board at all, as he desires the money more than the service?—But he can have no more till he goes on board.

2812. A dishonest seaman, whom I look upon much in the same light as a thief, might get a dozen advance notes one after another, and cheat a dozen

Chairman—continued.

a dozen masters, and yet not go on board?—Yes, but you ought to remember that under the advance-note system all the interests are identical, both of the crimp, and the sailor, and the owner, that the man should go on board.

Mr. *Bentinck.*

2813. Has your attention been given to the disciplinary clauses of this Bill?—I have looked through them, but I have not studied them particularly, although I have read the Bill several times.

2814. But you have a general impression of their purport?—Yes, I have.

2815. In your opinion, so far as you have gone, are they sufficiently severe for the maintenance of discipline?—I think that in Clause 6 the term of six weeks' imprisonment is too small; I think twelve weeks' would be preferable, as it existed before.

2816. You think that six weeks is inadequate?—Yes.

2817. In your opinion, so far as your experience goes, are not magistrates frequently in the habit of inflicting punishments which are very inadequate to the offences committed?—I think that in Hull the magistrate takes a lenient view of the case, and, in my opinion, a right view. I would not like to imprison a sailor for twelve weeks, but I should like the penalty to be there as a deterrent against desertion. I think that liability to short imprisonment would be of little use, but a severe imprisonment would act as a deterrent against men deserting.

2818. From your knowledge of seamen, in cases of grave misconduct, is not the punishment of imprisonment without hard labour looked upon by men of bad character as no punishment at all?—Certainly that is so.

2819. Referring to Clause 4, would not it be better if a man was considered as having joined the ship, and ought not his pay to commence and his services to be available for the ship from the time mentioned in the agreement at which he should join?—Yes, I think so; I do not think that we should pay for the interval between

Mr. *Bentinck*—continued.

signing articles and the man joining the ship, because his service does not begin then.

Mr. *Charles Wilson.*

2820. Would it be possible under Clause 4, where a ship might sign articles and not get a crew on board, to sign articles again, putting an extreme and exceptional case, supposing it to go for a fortnight?—It would tend in the direction under Clause 4, and I say it would increase the number of substitutes required.

Mr. *Bates.*

2821. The Right Honourable Chairman asked you if it would not be possible for a sailor to get 10 or 12 advance notes running; have you ever known such a case in your life?—No, never.

2822. If a sailor gets one advance note and he runs, if he gets another the first one is valueless?—The first one is valueless, but he may have had money upon it.

2823. But the man who advances the money will take care to put him on board the second ship?—Yes, if he keeps him in hand, and gets cash on the second note, but if he gets an advance note first and gets cash upon that, and gets cash upon a second from another man, then the first man would lose it.

2824. Supposing a sailor gets an advance note and goes to one of your lodging-house keepers in Hull and discounts that note, and the man does not go to sea, does not that lodging-house keeper look after that man, and take care if the man gets a second advance note that he, the lodging-house keeper, gets the money for the first?—If he can, he cashes the second note so as to cover what he advanced upon the first one.

Mr. *Hamond.*

2825. If a man gets cash on the first advance note, it does not follow that the man who advances on the second note always gets hold of the man who gets the second note?—No, not always; he is not always in the same port; sometimes he goes away altogether.

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Mr. Robert Watson, called in; and Examined.

Mr. *Charles Wilson.*

2826. Are you the master of a steamer trading out of Hull?—Yes.

2827. And a member of the British Shipmasters' Association at Hull?—Yes.

2828. That association consists, does it not, of about 300 members?—About 300.

2829. Are they masters and officers?—Masters and certificated officers.

2830. Do you come here to represent their views on this Bill?—Yes, I am delegated for that purpose.

2831. What is your opinion about Clause 4?—The association do not object to the application of the Workmen's Conspiracy Act to Clause 4, provided the time for having joined the ship or having commenced work be more clearly defined.

Chairman.

2832. How would you wish it to be?—When a seaman failed to join his ship at the time specified in the articles, the shipmaster should have the power to ship a substitute at once without liability.

Chairman—continued.

2833. That is the existing law, is it not?—No, I think not without liability to seamen.

2834. Then your mode of improving Clause 4 is by abolishing it, because the law applies from the time of the agreement, and the purpose of Clause 4 is that between the time of the agreement and the time of joining, the seaman should be on the same footing as a workman?—Yes, but when a seaman fails to join his ship at the time specified in the articles, the shipmasters wish to have power to engage a substitute in his room at once, without being liable in damages to the seaman if he should turn up at the last moment.

2835. What, then, you mean is, that if a man does not join at the time of the agreement, the master should be able to cancel his agreement

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and engage another?—Yes; if we have not that power we shall be driven to the last moment, and we shall have to complete our crews by substitutes, who are very inferior, and of a very indifferent character.

Mr. *Charles Wilson.*

2836. You would give power to the master to cancel the articles so far as the men who had not joined at the time named were concerned, but how would you cancel the articles; would the captain and the officers do it by signing the log-book, or could you give the Committee any idea how it should be done?—Where a seaman has not joined at the time specified in the articles, an entry could be made in the official log-book of his name by the captain and one of the officers of the ship that such a man has not joined, and then proceed at once to fill his place up by a substitute; that would give us more time to look about for good men. The substitute engaged would be entered upon the articles in the usual manner.

Mr. *Hamond.*

2837. Entering it also in the log-book?—Yes.

Mr. *Charles Wilson.*

2838. You would make an entry in the log-book that you had substituted such a man?—Yes.

2839. Would you then have it signed by the seaman as well?—That would be quite immaterial; at present it is signed by the captain and one officer, or a seaman.

2840. Then you think that if it could be done by any satisfactory means, this Clause 4 could be made to work without inconvenience to the ship-master?—We think that that is the best way to meet the case, so far as we can see.

2841. Because if it works without inconvenience to the shipmaster, it works without inconvenience to the shipowner?—Precisely so. At present we cannot possibly engage a man till the last moment to fill up the place of a man not joining, because the man might turn up at the last moment, and then he might enter an action against us for a week's or a month's wages, as the case might be.

2842. Can a man at present who has signed articles and does not join his ship, if a substitute is engaged in his place, claim his wages?—That depends of course a very great deal upon the magistrate who tries the case. Some magistrates hold that they ought to have more time allowed. The question is to know how long we should allow before engaging the substitute.

2843. You would have to put it in a very clear form, so that there might be no mistake about it?—Yes; I think that if sailors knew that when they did not join at the time specified in the articles, other men would be engaged in their place, it would act as a deterrent, and they would join the ship at the time agreed.

2844. I believe your association of masters and officers is almost entirely connected with steamers from the port of Hull?—No; with sailing ships also.

2845. But there are very few sailing ships, I believe?—There are more steamers than sailing ships.

2846. At least more than three-fourths are

Mr. *Charles Wilson*—continued.

steamers?—Yes; I think there would be more than three-fourths. I cannot say the number from memory.

2847. The evidence which you give is more local; your view as to what is applicable to Hull might not be so applicable to ports like Liverpool, especially where there are sailing ships going on long voyages, and where the Shipmasters' Association in Liverpool would represent their views; you more represent the local views of the Hull shipmasters principally connected with steamers?—Yes; they are more brought under our notice.

2848. And have you, as a matter of fact, much difficulty in getting men on board the ships?—It varies very much. Sometimes there is a very great deal of difficulty, at other times the men join without much trouble.

2849. You would not consider it a very great difficulty, were you informed that in the period from the 1st of January to the 16th of March of the present year, there were only seven deserters out of 87 signing; that is an average of one seaman to 12 shipped; you would not consider that a very great difficulty?—No.

2850. Have the Hull masters much difficulty in getting the men on board?—In some cases they have, particularly when ships leave the docks at night time.

2851. Is it the case that it is exceptional; perhaps at Christmas times and at fair times you have more trouble?—Yes, it is more difficult at holiday times always.

2852. Do you say, from your own experience, that there is much difficulty in getting the men on board?—In some cases we have a great deal of trouble in hunting the men up.

2853. What is the cause; are the men drunk?—Through the men getting a glass too much in parting with their friends.

2854. What do sailors drink when they are at sea?—We do not supply them with anything now.

2855. Do they drink water, as a rule?—They drink water, tea, and coffee.

2856. They do not get intoxicating drink, as a rule?—There are cases where sometimes men bring a bottle of grog on board with them, and we have trouble the first day or two, but after that they settle down quietly.

2857. After that do they settle down to water?—Yes.

2858. When they get on shore they are very liable, are they not, to give way to the temptation of drink?—After having been under restraint for a length of time there is a tendency in that way to break out when they get on shore.

2859. Next, as to Clause 7, the disciplinary clause; is it your view that an arrest should not be deemed to have been made on "improper and insufficient grounds" where a seaman has left his ship without first having asked the permission of the master or the officer in charge?—That is our view of the case.

Chairman.

2860. Might it not be possible that the offence of being absent without leave might have a sufficient reason to account for it, owing to the man having met with an accident, or illness, preventing his rejoining the ship?—In the first place he ought

Chairman—continued.

ought not to have left the ship without permission.

2861. Supposing a man having joined his ship has permission to leave it, and is prevented from coming back by illness or accident, would not that be a sufficient justification of his absence without leave after his leave had expired?—Yes, that would be a sufficient justification.

Mr. *Charles Wilson.*

2862. As to Clause 9, is it your opinion that, in a proceeding against a seaman for desertion or absence without leave, no counter-charge of unseaworthiness of ship should be entertained by the court unless the seaman had previous to leaving his ship given notice to the master or officer in charge, of his intention to do so?—That is our view of the case; any seaman taken up for desertion or for not being on board his ship might make a counter-charge against the captain, and say that the ship was unseaworthy, and that would place the captain at once in the position of a defendant. We wish him, first of all, before leaving the ship, to make the complaint to the captain or to the officer in charge.

2863. Then, perhaps, you would not let him leave the ship?—We are bound under a penalty to do it. We are under a penalty of 10 *l.* if we refuse to allow a seaman to make a complaint.

2864. As to Clause 15, do you think it desirable for the guidance of magistrates taking cognisance of such cases as a neglect of duty in keeping a look-out, and also for the guidance of shipmasters, that the meaning of the term "proper look-out" should be more clearly defined than it is?—Yes; we wish to have it more clearly defined.

2865. What has been your experience about keeping a good look-out?—From 20 years of experience, I would have the captain or a certificated officer on the look-out night and day, supplementing it at night time by a seaman on the forecastle from sunset to sunrise, and we think it should be in the most convenient part of the ship.

2866. You think that that ought to be stated instead of the "proper look-out"?—Yes; we cannot always put them on the forecastle in bad weather, but wherever we think is the best place for keeping a look-out.

Chairman.

2867. You think that what is wanted in the clause is to make the word "look-out" intelligible?—Yes; we find that the magistrates take very different views of the question of what a proper look-out is. Cases have come before us where they have refused to acknowledge that the captain or officer in charge of the bridge on deck is a "proper look-out," within the meaning of the Act.

Mr. *Charles Wilson.*

2868. Is it true that in recent decisions by magistrates they have ignored the master and the watch officer as a look-out?—They have when it has not been supplemented by a man on the forecastle.

2869. That is to say, the master and officer, without a man on the forecastle, is not a look-out?—It is not a proper look-out.

2870. This clause clearly requires the master and the watch officer, under pain of imprisonment,

Mr. *Charles Wilson*—continued.

fine, and cancellation of his certificate, to provide for a seaman being at all times in all places to be on the look-out in addition to the watch officer; in small vessels and steamers, where the number of seamen is necessarily limited (frequently not more than four or five in number), would it not be quite impossible for the masters to carry out the law, and organise a continuous relief for the helm, look-out, casting the lead, trimming sails, and all the other duties in connection with a ship?—It would be quite impossible to do so throughout the 24 hours continually without largely supplementing the crews.

2871. Is it not the interest of shipowners and shipmasters themselves to have a proper look-out kept?—Decidedly so.

2872. Without those penalties?—Yes, without the penalties decidedly.

2873. You think that this clause should be in some degree qualified?—Yes.

2874. Have you any proposal to make as to how that should be done?—It should be left to the decision of the magistrate taking cognisance of the case before sentencing the captain to imprisonment, fine, and cancellation of certificate, to see that he had a sufficient number of available hands under his command to carry out the law.

2875. Then you would put "shall so far as is practicable," or some words of that sort?—Yes, I would leave it to the court to decide that the master, or officers, had done all that was in his power with the men under his command.

2876. You say that the court decides at present in a way that is not satisfactory to masters?—The court would have no option in the matter but to inflict the penalty of imprisonment, fine, and possibly the cancellation of the certificate.

2877. What words would you add to the clause?—"Provided that the master had a sufficient number of hands available to carry it out."

2878. You would add "provided the number of the crew permitted those duties to be performed?"—Yes. If the watch officer is recognised as a look-out during the daytime in fine weather, in most cases there would be quite sufficient men to carry out the law, but by the wording of the Act we complain that it would be necessary at all times and in all places to keep a seaman in addition to the watch officer.

2879. Ought not your association to propose what alteration you would make, and in what terms you would put it. I suppose it is more for small vessels than large ones?—Yes, more for small vessels certainly.

2880. In a great number of small coasting steamers it would be very difficult, would it not?—Yes, it would be quite impossible for them to carry the law out.

2881. If the magistrates require an officer and a seaman, they have not got men on board to do it?—No.

2882. Then you would add the words "so far as is practicable with the men on board the ship"?—Yes.

2883. With regard to the Clause 21, do you think that, as no alteration can be made in the seaman's account of wages after delivery, it would be necessary to give the master sufficient time to communicate with the owner by post or personally, before delivering the accounts as to what advance notes or advances have been paid?—Yes.

2884. How

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Mr. *Charles Wilson*—continued.

2884. How long would that take?—Forty-eight hours to get a return by post.

2885. Are you in favour of making the seaman an advance of cash when he leaves the ship at the termination of the voyage?—I think that would meet the case, and keep him from borrowing money from the boarding-house runner and the crimp.

2886. When would you deliver him his account, within what time?—Within three days, and the balance of his wages.

2887. The Act of 1854 allows the master, does it not, 48 hours to deliver his documents up at the Mercantile Marine Office?—Yes.

2888. That is not too short a time, is it?—No.

2889. Are there any other points in this Bill by which you consider masters are affected?—We do not see any clause in the disciplinary part of the Bill which would strengthen the hands of the master, when a sudden case of insubordination breaks out upon the high seas. We are allowed to make entries in the official log-book, but in very many cases I have found that the men simply laugh at this.

Chairman.

2890. Have you looked at the mutiny clause?—Yes.

2891. You think that that is sufficient?—We think the law is sufficiently strong, but we want something to meet the case of a sudden outbreak on board ship as regards dealing with it on the spot.

Mr. *Charles Wilson.*

2892. You do not want to flog the men, do you?—No. In a sudden case of that kind it has been customary to pick out the ringleader and put him in confinement until the disturbance is quelled, and that might be done after the master and the two certificated officers consulted together as to the best means to prevent the disturbance, or to quell it after it has broken out.

2893. Have you read Clause 25, as to the liability of a seamen for loss to the owner caused by smuggling?—Yes.

2894. Would not it be only right that everyone connected with the ship, the master and the officers and all, should be liable to the owner; is there any particular reason why the seamen only should be liable to the owner?—No, we do not know any reason why.

2895. Would there be any reason why this should not be added to the clause; "Or does any act against the laws of the port or place where the vessel may be;" for instance, at some ports a fine is inflicted upon the ships if they have a fire on board, and various port regulations which the crew or officers may break, and the owners have to pay for; is there any reason why that should not be borne by the members of the crew?—I see no reason why the defaulting party should not be answerable.

2896. You do not see any objection to adding "or any act against the laws of the port or place where the vessel may be," and also that the master and every member of the crew should be liable?—We do not see any objection to that.

2897. Is there any other point on which you wish to give evidence?—No, I think not.

2898. There is nothing else in the Bill that the masters make any objection to?—No.

Mr. *Bates.*

2899. You say that you think that Clause 4 would answer if it were amended?—We think so.

2900. And you say the amendment would be to give power to the master to appoint as a substitute a man at once, from the time at which the man had agreed to join, if he was not there?—Yes; that is our view of the case.

2901. Supposing the substitute to fail and did not join, what then?—We should have to engage another.

2902. Supposing that that man did not join, and the ship was in the dock gates, what then?—We should still have to engage another man.

2903. By the law, as it now stands, are you not enabled to get your men and put them on board?—Decidedly.

2904. Do not you think that the law, as it now stands, would be far better than having all those substitutes?—We do not object to the law as it stands at the present time, but if it is to be altered, we wish it amended in that direction.

2905. Do you not think it would be far better, both for the shipowners, captains, and sailors themselves, if the law were to remain as it now is; namely, that if you see one of your men on the pier-head and your ship in the dock gates, and you say, "Come, my lad, get aboard," if he does not go you can tell a policeman to put him on board?—That would be better.

2906. That is the present law, is it not?—That is the present law.

2907. Would not that be better than what you state, having the power to cancel a man's engagement?—We are quite satisfied with the law as it stands.

2908. And you do not think that what you have stated would improve it?—We do not think it would improve it; but if it has to be altered, we think that that would meet the case.

2909. Supposing you sign articles to-day, and your men are to be on board on Monday morning, and the ship does not sail for three or four days, can you calculate upon those men coming on board on Monday, Tuesday, and Wednesday, and being ready when the ship sails?—No, we cannot depend upon them.

2910. Then you would again have to resort to the law as it now stands; if you saw them you would persuade them to go on board, and if they would not be persuaded you would put them on board?—Yes.

2911. Will you tell us why it is impossible for the captain of a ship coming from a long voyage especially, to pay off his men the moment the agreement ends, when the ship is moored?—He cannot do it.

2912. Supposing you had been paying allotment money, and the ship is lost and the crew is saved, it might be some weeks, perhaps, or some months, according to whether it is a steamer or a sailing ship, before you knew of the loss, and the allotment money has been going on all that time; how would it be possible for the captain to make up his accounts the moment he arrived in England?—He cannot do it; he must have more time.

2913. You quite agree that the sailor should have something more or less in his pocket?—Yes, we would give a sovereign, or a quarter of his wages, or something of that kind, to keep him out of the hands of the crimps.

2914. With

Mr. *Bates*—continued.

2914. With regard to smuggling; you know there are such things as captains smuggling?—Yes, there are such cases.

2915. Do not you think it should be in this Bill, "A captain, officer, seaman, or apprentice;" that the captain should be put in also as a rule?—We do not object to that.

Mr. *Corry*.

2916. Is it the case that the captain is always on board at the time named for the crew being on board?—Not always.

2917. I think you suggested the entering in the log-book and signing it by the captain and the first officer, or one of the officers, the names of the men who are wanting at the time; how could that be carried out?—He can do it as soon as possible afterwards.

2918. Your suggestion was that if a man has to be on board at six in the morning and he is not there, the captain should at once have the power, or one of the officers, of engaging a substitute, and that in addition to that as a proof that the man is not there, that entry should be made in the log-book and signed by the captain and officers; is that really workable?—If the captain was not there at the exact time, I would still give him more time to find substitutes two or three hours afterwards; he might be at the Custom House, or he might be at many other places just at the exact time.

2919. It is only if the law is to be altered at all, that you propose this mode of altering it?—That is all.

2920. But from your experience as a sailor, you think that the present law is better than even your proposition?—We would rather it was left as it is.

2921. At what time do you find the greatest difficulty in getting your crews on board?—At night time.

2922. Supposing you have to be on board at 12 in the day, do you often find a number of men on the pier-head, who will not come on board till the vessel is almost out of their reach?—Very frequently, particularly with sailing ships.

2923. And then of course they have to be put on board by a tug steamer, or by sailing boats?—Yes, we frequently do that.

2924. I suppose you have seen instances of ships being brought to anchor outside, so that the missing men of the crew could be looked after and brought to the ship?—Yes, that very frequently happens.

2925. Is there any risk to the ship in that position, do you think?—It would be dangerous to leave the ship in the tideway, without a proper number of men on board.

Mr. *Ashley*.

2926. You are merely giving that opinion of Clause 4, viewing the thing as a master of a ship who wishes to get the men on board as easily as you can?—Yes, that is our view.

2927. As to Clause 12 there is nothing in that clause, is there, to take away the power which the captain now has of putting mutinous men in irons on the high seas?—Cases such as the "Locksley Hall" have arisen, where the captain has been subject to imprisonment for quelling a sudden case of insubordination.

2928. What you want is something to protect

Mr. *Ashley*—continued.

the master?—Yes; something to strengthen the hands of the master when any sudden case of insubordination breaks out.

2929. You do not object to Clause 12?—No; I do not object to Clause 12, but we want something to strengthen the captain's hands on the spot.

Mr. *Macdonald*.

2930. You said in answer to the honourable Member for Hull, that you represented an association of 300 odd shipmasters?—I do.

2931. How did those shipmasters appoint you; had they a meeting?—I was on the committee.

2932. Did you consult all the shipmasters on this Bill?—The committee represents the Shipmasters Association.

2933. Therefore it is the committee's representation of the shipmasters?—The committee are chosen by the body every year.

2934. And do they think for the shipmasters?—They act on behalf of the shipmasters.

2935. You have said that you want more power with the seamen than you have now to exercise discipline and keep order on board ship?—Upon a particular case arising.

2936. What more power do you want?—At present we are enabled to make an entry in the official log-book.

2937. What more power do you want?—That when a sudden case of insubordination breaks out, the captain after consulting with his certificated officers should take means to put a man under restraint.

2938. Have you not that power already?—Not lately. It has always been done, but since the case of the "Locksley Hall" where the captain was brought forward for illegally detaining the men, we wish to have something defined.

2939. Are you not aware that the judgment in the case of the "Locksley Hall" was found to be wrong and the magistrate was removed?—But there is a great deal left to the discretion of the magistrates and they may take different views of the case.

2940. Is it not the law that you have full power on board your ship to check insubordination at any time?—It simply gives us the power to make an entry in the official log-book.

2941. Have you not the power to put a man in irons if he becomes dangerous to you or to any other of the crew?—That has always been supposed so, but we want it more clearly defined.

2942. But is not that the law now?—The law does not say anything about it.

2943. Is it not the law now?—The law says that we are to make an entry in the official log-book; it does not say anything about putting a man under restraint.

2944. Does the common law not permit you, and are you not in keeping with the law when a man is either dangerous to you or to the crew or dangerous to the ship, in putting him in irons; do you commit any offence in doing that?—That depends upon the view which the magistrate takes of the case.

2945. The magistrate cannot alter the law, can he?—The law is silent upon that point, and we should like to have it defined.

2946. If

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Mr. *Macdonald*—continued.

2946. If that is the law, what is the definition that you want?—We do not know that it is law; it does not say so.

2947. Do you say it is not the law?—What I say is that it does not say so.

2948. Do you say that it is not in the power of the master to lay hold of the man and to take any steps that are necessary for the protection of the ship and the crew, and himself?—We want to have it defined if possible that such is the law; it does not say anything about it in the Act.

2949. You say that the men very often will not go on board until the ship is clearing the dock; what is the reason for that?—Very frequently they are with their friends, and they get a glass too much and they get rather stupid.

2950. Is not another reason that they do not get paid before the ship is cast off as a rule?—Their pay commences from the time that they are ordered on board.

2951. But the pay commences when they have to go on board only, and that is when the ship is cast off?—No; they may be ordered on board 24 hours before that.

2952. And does the pay commence then?—The pay commences according to the terms of the agreement.

2953. One of the causes is that the pay does not commence till the ship is actually about to clear the port?—The men's pay commences when they are ordered on board by the terms of the agreement, and it may be 24 hours before.

2954. If the men were asked to go on board before the terms of the agreement, would they have any pay before then?—We do not want them before the terms of the agreement; we want them at the time mentioned in the agreement.

2955. If the term of the agreement is when the ship is cast off; if that is the date of the seaman's commencing work, is not that the time when he ought to get on board?—I have never known them mention such an hour as the time of casting off from the pier; the agreement always specifies the hour for commencing work.

2956. Have you never known the time of the agreement to be when the ship is cast off?—I have never known such a case.

2957. Do you think that the present power should remain, that the seaman should be arrested by one or other of the following persons, the shipmaster, the owner, or one of the five different persons stated by the Act?—I think it better that it should remain as it is.

2958. Why do you think that that power should remain?—Because the captain has probably taken the trouble to try and pick out a good crew, and if those men do not turn up and come on board the ship, he may have to complete his crew by substitutes at the last moment, who are always the very worst class of men we can possibly get hold of.

2959. Is it not often the case that the captain never sees the crew at all?—He must see them.

2960. Prior to shipping them?—The captain must sign the agreement before any other man.

2961. Do you think it is necessary, in order to enforce the contract of hiring of the seamen, that this power of apprehension and imprisonment and degradation to the seamen should be in the hands of you as master, and of the owner and others?—We think it would be far better for it to remain as it is.

Mr. *Macdonald*—continued.

2962. Would you see any harm in having it enlarged by a provision that, in the event of the captain, or owner, or consignee, or the same number of persons who can lead to the apprehension of the seamen, breaking the contract, he the seamen, should have the power to cause their apprehension in the same way?—Yes, I do.

2963. You think it would harm them?—Yes.

2964. Then you would want a special advantage over the seamen?—The captain has greater responsibilities; he is responsible for his ship and all the crew on board, and if he has a greater responsibility he should have more power.

2965. I am not asking about what power the captain should have, but I am asking whether, if a seaman for breach of his contract ought to be apprehended and dragged through the streets as a criminal, or may be so, if the captain breaks his contract, ought not a similar provision to apply to him?—No; because the cases are not parallel, because in the case of a seaman not joining his ship, the captain is obliged to fill up his place with any indifferent man he can find at the last moment. One man not joining the ship at the time may detain the ship and everyone belonging to her.

2966. I am not speaking of a man not joining the ship, but I am speaking of a breach of contract; and I ask you again if you think there should be a criminal penalty attached to the seamen, and that purely civil consequences should be entailed upon the employer of the seamen?—I think it should be so, as the cases are not parallel.

2967. Will you tell me how they are not parallel?—Because in the case of a seaman being arrested, it is for not joining the ship at the time and place where he has agreed to do it.

2968. He has made a breach of his contract?—Yes.

2969. Then if the owner has made a breach of his contract with the seaman, should he not be arrested in the same way?—I do not see that the cases are the same.

Mr. *Shaw Lefevre.*

2970. What trade have you been mainly engaged in?—I have been all over the world, except America, and I am now engaged in a mail steamer to Sweden from Hull.

2971. Do you give the men advance notes in that trade?—Not in that weekly trade in those short voyages.

2972. Do many of the seamen from Hull get advance notes?—Yes, a great many.

2973. What proportion should you say?—All the men do not ask for them now; but I should think that probably half the men shipping get them; they all have an option to take an advance or half-pay, which is an allotment note. As a rule, we give them the choice to take which they like.

2974. And you think that about half of them take the advance note?—Yes.

Mr. *Charles Wilson.*

2975. In the case of a breach of contract, if seamen were responsible the same as owners or the same as captains, would you then see any reason why the law should not apply to both equally the same?—Not if they were in a position

Mr. *Charles Wilson*—continued.

tion to meet the case; if they were fined, or if a penalty were inflicted.

2976. In your opinion that makes a difference between the two?—Yes.

Mr. *Gorst.*

2977. Do I understand you that the only difference between the seaman and the owner is, that the owner can pay damages, and the seaman cannot?—The seaman is not in a position to do so.

2978. And you think that the man who cannot pay damages ought to go to prison?—He ought to have some restraint put upon him.

Mr. *Charles Wilson.*

2979. If he is not sent to prison, do you know of any other mode of punishing him?—I do not know of any other mode.

Mr. *Hamond.*

2980. You say that you give the sailors the option of an advance note or an allotment note; do not the sailors also receive cash advances?—In some cases they have an advance note, and then afterwards a half-pay note, to commence after the first month.

Mr. *Hamond*—continued. Mr. *Watson.*

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2981. In answer to the honourable Member for Plymouth, you say that the allotment note money was going on after the ship was lost, but the crew saved; that is not so, is it?—It may happen that perhaps two or three allotments may have been paid between the time of the ship being lost and the news reaching England.

2982. But you communicate with your owners after the ship is lost; as soon as you can?—As soon as possible; it may take three or four months to communicate with the shipowner.

2983. You communicate by telegraph, do you not?—Yes, telegraph or by post, whichever is most convenient.

2984. In the answer which you gave to the honourable Member for Plymouth, you stated that when a man does not join, you have to get a substitute, and if that substitute does not go, you have to get his substitute, and even a third substitute, to take the place of the second; that is not so, is it?—Such cases might arise; and we should have to complete the complement of the crew.

2985. Do you know of any case having arisen where a substitute had to be taken for a substitute?—I do not know of any individual case.

Mr. Arthur Oughterson Leitch, called in; and Examined.

Chairman.

2986. Are you a shipowner?—Yes; I am a Shipowner and a Member of the Local Marine Board of Greenock, and Director of the Greenock Shipowners Association. Mr. *Leitch.*

2987. Will you tell us what is the particular point which you wish to give us evidence upon?—On those clauses which have been spoken so much of to-day already, chiefly the 4th, 19th, and 21st.

2988. We will begin with Clause 4; what remark have you to make on Clause 4?—The shipowners of Greenock had a meeting and discussed this clause in the Bill, and they object to this clause on the grounds which have been spoken to here (I heard Mr. Duncan's evidence here the other day); they object to the power of summary arrest being withdrawn, for the reasons which have been stated here by several witnesses. Without such power, it would be impossible to get the crews on board.

Mr. *Gorst.*

2989. Have you any fresh reason?—Yes; there is one. It has been asked once or twice about how the retention of the power of arrest would benefit the respectable sailors. My reason for saying that it would, is this. It is to the interest of the respectable sailor that the crew that he goes along with should be as good a crew as possible, because if substitutes of an inferior class and character are put on board the ship, it just throws all the more work upon the good men who are on board the vessel, and the result would simply be that the pier-head men or pier-head jumpers, as they are called, would form a large portion of almost every crew, and the few good men who were shipped at the shipping office, because the captain, of course, always tries to pick out the best men he can get at the shipping office, would have additional work and responsibility thrown upon them through having a lot of useless fellows put on board at the pier-head.

Mr. *Gorst*—continued.

Chairman.

2990. We have been told by several witnesses that the present practice is to hunt up defaulters at the last moment, and they find them in the crimps' houses; and they say, "Come along, Jack; come on board;" and with a certain amount of force getting them on board; is that the kind of arrest without a warrant which you mean?—My experience of the matter is this, that there is seldom a necessity for exercising the power of arrest. But it is important to be able to do as you stated just now, and to be able to say a little in addition to that, "If you do not go on board the ship, I will give you into custody."

2991. If Clause 4 was passed, would that power of saying "Come along, Jack," cease?—No; the power of saying it would not cease, but the power of enforcing it would cease certainly.

2992. Do you think that the fear of being brought before a magistrate criminally would make this "Come along, Jack," more effective than if there was no such ultimate fear?—I think it would. In nine cases out of ten, where men have shown any difficulty about going on board ship, it was not that they had any ultimate intention of not joining the ship, but simply from some apparent disinclination in sailors not to go on board until the vessel is moving away from the quay. It is not possible to name the exact hour at which a ship will start. Supposing the men come down at 12 o'clock, and the ship does not move till one o'clock, if they can raise a shilling amongst them they will drink it in the interval, and by the time that one o'clock comes, and the ship is going to move, they say, "The ship is not going till to-morrow," and they will not go on board; but

Mr. *Leitch.*

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Chairman—continued.

but having the power of saying, "If you do not go on board, we will give you into custody," that acts as a deterrent, and they go on board without much more ado.

2993. But criminal proceedings are not often put in force, are they; they are merely held *in terrorem* over them?—Very seldom indeed. I have got a return of the proceedings that have been taken in Greenock, but they are very small in number, because, in point of fact, the law is not put in force.

2994. Do you think that civil proceedings would not have the same terror?—I do not think that any shipowner in his senses would ever go to the trouble of taking civil proceedings against a seaman.

2995. Civil proceedings are taken out now, are they not, in the case of other workmen who have failed to meet their engagements?—Yes; but there is this difference, that if a sailor thought there was going to be a warrant taken out against him for civil proceedings, he would move off, whereas a workman has got a house and furniture and a family, perhaps, living in the place, but a sailor has got his chest and his bag, and he would simply go off by train to the next port, and is out of sight, and you never would see him again.

2996. Did you hear a suggestion that was made by both witnesses to-day, that if a seaman failed to join at the time of his agreement, the master should be allowed to cancel the agreement and take a substitute?—I certainly think that the existing law is infinitely better than the proposal which was made by the last witness, which was to that effect.

2997. What is the next clause to which you wish to refer?—There is one matter which has been referred to by more than one, and that is as to a man being subjected to arrest without warrant. I cannot speak from experience of anything of the kind on board ship, but I can speak to this extent, that we do not give a man into custody to be put on board by the police, but we give men into custody sometimes, and keep them at the police office for a few hours until they are sober. I have myself had to give men into custody on the quay who were very violent, and would not go on board ship; and after remaining in the police office for four or five hours, I have gone back and had them wakened up, and they have thanked me for putting them there, and they have gone on board ship perfectly quiet, without a single demur. I believe that I was doing them a kindness better than letting them fall into the hands of the police, and being fined the next day for being drunk in the streets.

2998. What is the next clause which you wish to refer to?—Clause 9. With regard to that, I heard Mr. Duncan's proposal the other day, and we would quite concur in it. We think that words should be added that any seaman or apprentice making a charge of unseaworthiness should make it before he leaves the vessel, otherwise it should be void.

2999. You mean that the words in the existing Act, that a seaman must make his complaint before quitting the ship, should be a necessary element to his being allowed to allege unseaworthiness of the ship in defence against prosecution?—Yes. And then in Sub-section 9 of Clause 9, it is suggested that there should be

Chairman—continued.

inserted, "Provided that such wages have been earned or have become due." The point made was this. The master would be required to pay the cost of the survey at once, whereas the sailor would run off at the first port he came to, without having earned any wages, and the owner would be liable to pay the cost of the survey.

3000. You would never make the fine payable out of prospective earnings?—No.

3001. What is the next clause?—The 20th clause. We do not object at all to the payment of a sum to account of wages when a man goes on shore, provided that it is at a reasonable hour of the night or day that he does so; but with regard to Clause 21, we consider that giving the account complete to a seaman whenever the ship is made fast to the quay, is an impossibility.

3002. Why an impossibility?—For this reason. I am speaking of the Clyde. It is not like where you have to wait for a dock in coming in, when the master cannot tell whether his ship is going to finish the voyage on that day or the following day, but in the case of the Clyde harbours he gets an order to come on right alongside the quay; and the moment the ship is made fast, the crew go on shore.

3003. Then the voyage is not completed, is it?—It is completed as soon as the ship is alongside the quay; and I say that in the time that the captain has had at his disposal in coming up the channel, he cannot make out the accounts so as to complete them; he cannot make them up to a point because he does not know the time at which he will arrive nor the time at which the voyage will terminate; he comes in straight from the sea and goes alongside the quay.

3004. Is it not always named in the agreement when the agreement shall terminate, namely, by the ship coming alongside the quay?—That is quite correct, but the question is this: it is required that whenever the ship does come alongside the pier, the captain is to have every man's account cut and dry to hand over to the man to walk on shore with it in his pocket. We say that that cannot be done.

3005. I have asked another witness why it should be impossible if the Board of Trade were to furnish a form of account in which there should be a counterfoil, and every entry of advances or fines during the voyage, should be entered in duplicate upon this account, would not that enable the master, upon the seaman's leaving the ship, to tear off the counterfoil and give it to the seaman and enable him to go off at once to his home?—But that would not provide for the case of the captain making up the wages to the last point, which would be necessary to complete the account.

3006. Would not it be a complete account minus what the superintendent would be perfectly able to settle after the seaman had gone?—It could not be a complete account at all without the credit side being completed.

3007. The wages would run to the time named in the agreement, namely, the ship coming alongside the pier, that being a conclusive point at the termination of the agreement?—Supposing a vessel is coming up the channel to-day and nearing her destination, the captain cannot tell till he actually arrives whether the crew will be on shore on Friday afternoon, or whether he will have to anchor and get in on the Saturday

or

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or Sunday or Monday, probably according to the arrangement that might be made about his cargo by his consignees; he cannot have his accounts made up until he knows that.

3008. But the account is actually made up at the time, and every entry is made at the time, and there can be no entries required afterwards?—The credit side of the account is not made up, and cannot be made up until the actual time to which the man has served on board.

3009. The time of the ship arriving at the pier is known because the man looks at his watch, that is the conclusion of the engagement, and it is perfectly easy for the captain to know afterwards what the credit side is?—A steamer, it might be a passenger steamer, or a coasting steamer, would know the time exactly that they would arrive at the first port, but with a sailing ship it is impossible, because the captain does not know that he is going to get docked. For instance, in Liverpool, if a vessel was drawing over a certain draught of water, the captain may think he would get into dock that tide if he happened to get up in time, but he may not get into dock for five or six days afterwards.

3010. He knows, of course, when he does get into dock?—I am taking the case of a vessel coming directly alongside of the pier.

3011. He knows the actual fact when he does arrive, and that is the termination of his agreement?—But the captain is obliged to be looking after the berthing of his vessel, and that the men are working at their duties; he could not possibly be engaged in the clerical work of making up the accounts.

3012. What clerical work is there in looking at a watch and seeing the time he arrives; the proposal is this, that each captain has an account current between himself and the men; he knows the hour at which he arrives, which terminates the agreement; the proposal of this Bill is that he should give a man a few shillings to enable him to go home and get out of the way of the crimps, and that the rest of the account should be made up by the superintendent; the superintendent would know the credit side, as you say, by knowing the hour of the arrival of the ship, and he would know any other deduction to be made, such as the advance notes and allotments; and the account, of which a counterfoil is given to the seaman, would show him all the other deductions to be made?—If the preparation of the account is only to show the deductions, of course it is quite easy to do that; but if it is to show the credit portion of the account, it cannot be done in that way.

3013. The credit portion of the account is simply ascertained by the hour of arrival; it requires no clerical work; what is the next clause on which you have any observations to make?—I think there is one sub-section in Clause 22 which will act extremely prejudicially against the sailor, Sub-section 8, "Where the sum was deposited in consequence of the seaman being absent or not being in a fit condition to sign the release, his directions for the payment or remitter of the sum shall be deemed to be equivalent to the signing of the release;" how is that to be arranged, that the man has gone away, supposedly to be at home or somewhere else; any person sending a letter under that sub-section to the Mercantile Marine Office would be

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entitled to draw the man's money. Supposing he goes somewhere else, and he gets half drunk, and some one gets him to sign an order to draw the money, he has simply got to send the man who gets the letter, and he gets the money and releases the ship.

3014. Do you know any instances in which this provision, which is in the existing law, has produced injustice?—I am not aware that it is the existing law. A man must sign the discharge and release himself unless he is incapacitated by illness.

3015. Is there any other point?—Reference has been made about the men's staying on board ship. Supposing the ship is not ready to go to sea at the time appointed, the men would go on board the ship and get wages for their work. I will give you the case of the last vessel we have sent away. It was an 11 o'clock tide, and the men were down, and she was to have sailed in the morning, but it so happened that there was not enough water to get the ship out of dock; she was moved from her berth where she was, and the men jumped on board as usual just as she was moving; they would not go on board before, but it was found after she had started about 100 yards from her berth, that she had to be sent back again to her berth to wait for the next tide, because there was not water enough. There was plenty of work to do on board, and we had the galley fire lighted, and everything ready to get provisions for them, but the moment they found that the ship was not going to sea that tide, every man of them went on shore, and we were obliged to employ riggers to get the ship cleared up, and to do the work that they should have done.

3016. Is there any other point which you wish to mention?—With regard to the cash advances I take it from what you have said, that it is not supposed that the cash advance is to be given at the time of signing the agreement, because I do not suppose that any shipowner would do any such thing. If they did, the result would be that you may manage to ship the man without an advance, but when the time comes for him to go on board he will turn up, and will say, "I cannot go without cash, you must give me some money to get some clothes," and the result will be that he will get money at the last moment, which will be given into the hands of the boarding-house keeper who got him there, and they will go and spend the money in the same way as they do now, by buying clothes at a high price.

3017. Do you think that the masters would advance money in that way?—They would have to do it; you cannot get your crews on board unless you do it.

3018. Would you get your crews on board by doing it?—You would require to keep a sharp look-out upon them; we have to do it over and over again to get them on board. There was a suggestion which we wished to make with regard to a difficulty which has arisen more than once, I do not know whether it is merely a local difficulty, but it has occurred in Greenock, where, in cases of prosecution, the question has been raised whether a vessel was a British ship, because the section says "every British ship," and it has been held by the justices that the only proof of a British ship was the production of the register, or the production of a certified copy of the register, which has led to a great deal of inconvenience

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venience and delay. We propose that words should be added to one of the clauses, to the effect that in any proceedings against a seaman for breach of contract, or refusing to join, the articles, or the office copy of the articles, should be held as sufficient evidence, and should be accepted as proof of a vessel being a British ship.

Mr. *Bates.*

3019. Do you think it desirable to do away with the advance note?—I do not.

3020. Do you think if the advance note were done away with, and we gave the sailors cash instead of an advance note we should ever get them on board until the cash was all spent?—If the cash was given at the time of shipment, it would never reach even the boarding-house keepers, it would go into the pockets of women of the town and spirit dealers, before it ever got to the boarding-house keepers, unless they took it from them when they got outside the shipping office to keep it for them; it would never work.

3021. Do you think that the advance notes could not be done away with?—Advances of some sort are a necessity, and I look upon the advance note as the least objectionable form that it can be given in.

3022. In fact to give cash would simply be making the man worse?—Yes; because he would squander all his money, and when the time came for the man to go on board, he would want more money to rig him out for the voyage.

Mr. *Burt.*

3023. In objecting to Clause 4, you said, and said very truly, that it is to the interest of the good men to have as efficient seamen with them as possible?—Yes.

3024. You have heard a good deal of the evidence which has been given here as to a considerable proportion of the seamen being taken on board drunk at the present time; does your experience accord with that?—I have heard it several times in this room, and I may say that my experience is this, that whilst a large number of men do go on board tipsy, it is by their own act and not done by the crimps, as they are called, or the boarding-house keepers, for the purpose of getting them on board. We have had men of our own who were with us for several voyages, and who have been working on board the ship probably for weeks, who almost invariably went on shore on the day that the ship was going to sea, and came down drunk when the hour of sailing arrived.

3025. Have you not frequently seen men taken on board by policemen, or others, in a state of drunkenness?—Our police do not take the men on board, but I have seen men taken on board certainly, very often in a state of drunkenness.

3026. In the interest of the good men, and I think you would do well to look after their interest, do you think it fair or conducive to their benefit that their fellows should be taken on board in a state of drunkenness?—Certainly not; but at the same time we have frequently found that the very men who get drunk when they are going to sea turn out the very best men afterwards.

Tuesday, 26th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gourley.
Mr. Bates.	Mr. Macdonald.
Mr. Burt.	Mr. O'Shaughnessy.
Mr. Corry.	Mr. Plimsoll.
Mr. Dalrymple.	Mr. Torr.
Mr. Gorst.	Mr. Charles Wilson.

THE RIGHT HONOURABLE SIR C. B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Mr. THOMAS STAMFORD RAFFLES, called in; and Examined.

Mr. *Raffles.*

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Mr. *Bates.*

3027. I BELIEVE you are Stipendiary Magistrate of Liverpool?—I am, and have been more than 18 years.

3028. Consequently you know something of seamen?—I do.

3029. And of the treatment they receive from the Liverpool magistrates?—I do.

3030. No doubt you have read the statements made by Dr. Cummins and Mr. Fyfe with regard to the magistrates; have you anything to say on that subject?—I have read the evidence given before the Committee, and especially that to which you allude. I do not agree with Dr. Cummins that five-sixths of the magistrates are interested in ship-owning. I have here a list of the magistrates, about 60 in number, on the active list. The list was marked by a member of the Dock Board, who is intimately acquainted with shipping, and is a shipowner himself, and he makes it out that the number of those who are particularly interested in shipping is something under 20 out of the 60. Of course it may be that there are others who are members of some shipping companies. I am not a member of any shipping company myself.

3031. I think it is the general rule in Liverpool for you to take all seamen's cases four or five days in the week?—I sit in what is called the First Court five days out of six, and on the sixth day I sit for an hour, from 10. to 11, and I take the seamen's cases; they are always brought before me. On the sixth day, when I do not sit altogether in that court, I generally dispose of the seamen's cases during the hour when I am there.

3032. Do you know whether the lay magistrates who sit on the sixth day ever consult your clerk as to what you would do?—Yes.

3033. Before they give their decisions, they generally come to your clerk, and ask what you would do?—They generally ask what I do; and without any disrespect to any of the lay magistrates, I may say, that if I find they do not act upon my idea as to what should be done, I generally intimate my surprise to my clerk.

3034. I think you have a copy of the Merchant Seamen Bill?—Yes.

3035. Have you gone through it?—Yes, and I may also say that I have gone through the remarks made by the Shipowners' Association, which in the main I concur in.

Mr. *Bates*—continued.

3036. Will you give us your opinion as stipendiary magistrate of Liverpool, and knowing as you must necessarily much about seamen and their ways, as to the Fourth Clause?—I do not think it would be practicable to work it as regards seamen.

3037. You think it could not be worked?—I think not.

3038. Will you state why?—I am assuming that the power of arrest is done away with, and that the proceedings are to be as they are under the Workman and Employers' Act. In the first place, it would be difficult to find the seamen and serve them with notice; and in the next place it would be a very circuitous process. I think very few shipowners would take the trouble to do it, and therefore I think the clause would be a dead letter.

3039. Have you reason, as stipendiary magistrate of Liverpool, to complain of the present mode of so-called arrest without warrant, and getting men on board their ships?—No, I do not see what other way you could take. I look at it in this light: a man gets an advance note which goes towards the payment of his keep and board for a certain time, and supplies him with his kit, and I think that when he gets the few shillings that remain for him to receive from the man who cashes his note, and gets drunk and evades joining his ship, it is a fraud.

3040. Therefore your opinion is, that the present law would be far better than this Fourth Clause?—Yes. I may be allowed to mention to the Committee what my own opinion of the matter is. Some time ago I made a suggestion to a gentleman connected with the Board of Trade, who was then in Liverpool with the then President of the Board of Trade, Mr. Chichester Fortescue, that the magistrates should have the power either to imprison or to impose a money penalty in their discretion. My opinion is still unchanged. There are many cases in which I would rather not send sailors to prison, but impose a money penalty. One point which I always look at in dealing with sailors is this: I inquire

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where the advance note is, and who has cashed it; sometimes I adjourn the case, and the note is produced in court the next day. If I find that the note is returned, and no one is defrauded, I invariably deal with such a case in a much lighter way than I should do otherwise. I observe that one of the witnesses said that the feeling of magistrates was rather against the sailor. I can only say that my feeling is just the other way; I prefer to treat the sailor with leniency; I have a weakness for *him*, as I think *most Englishmen* have.

3041. And that is generally well known in Liverpool?—It is. I know I would rather deal leniently with a sailor than otherwise.

3042. Is not that general system followed by lay magistrates?—They seldom deal with those cases. I think I can give you some information on that point. My clerk told me that only about 6 per cent. of the cases of not joining or deserting came before the lay magistrates. I refer to cases where there has been an arrest. The cases that are brought before the Second Court, where the lay magistrates sit, are cases by summons; cases of disobeying orders, and so on.

3043. As stipendiary magistrate for Liverpool, you do not think that, as a rule, lay magistrates are more severe on sailors than they ought to be?—I do not think so. I do not mean to say that there may not have been an exceptional case; as a rule I certainly think not.

3044. There was a case brought forward here with which you perhaps had something to do; the case of the "Sultan"; can you state to the Committee the facts of that case?—In the first instance there were five sailors brought before me for refusing to join their ship. They pleaded that the ship was not seaworthy; there had been no survey up to that time. They called the carpenter of the ship who had not been given in charge, and therefore was free, as a witness, and upon his evidence I certainly declined to convict the five men, and discharged them. On the following day, to my surprise, I found the five men again in custody, and the carpenter along with them. Then a question arose as to the principle of law that a man cannot be tried twice for the same offence, and I held that the plea *autrefois acquit* applied to the five men, and that even if they proved the ship seaworthy, I could not deal with them. I accordingly discharged them. As to the carpenter, who had not been charged before, I was obliged to hear the case against him, and upon the evidence I was obliged to convict him. Evidence was given that the ship was seaworthy, and I asked the carpenter whether he would go in the ship or go to gaol. Fortunately for himself he said he would go to gaol. He was committed for six weeks. The ship went to sea, and was wrecked off the coast of Scotland in a violent storm. An inquiry took place. I declined to take it, or at least I expressed a wish not to take it in Liverpool, having expressed an opinion on the vessel, and the inquiry was accordingly held at Greenwich. I believe the result of it was that the ship was lost by storm, by the act of God. Mr. Fyfe afterwards came to me about the carpenter's case, and told me he was going to appeal from my decision to the Home Secretary, who, of course, had power to alter it.

Mr. *O'Shaughnessy.*

3045. Was that after the wreck?—Before the wreck, I think; but I will not be certain. Mr. Fyfe was very polite. He said he did not at all impugn my decision, but he appealed from it to the Home Office as he had a right to do. I reported the facts. I think Mr. Lowe was then at the Home Office; and after hearing all the facts, he declined to interfere, and the man, I believe, served his time.

Mr. *Bates.*

3046. I do not know whether you are conversant with advance notes?—I know a good deal about them, of course, hearing of them constantly in court. If you ask me whether I think shipowners could do without advance notes or not, that is a question which shipowners can answer much better than I can; but from all I hear, I should think it very doubtful whether they could manage to do it. It would be very desirable if they could.

3047. No doubt you have had these advance notes brought before you repeatedly?—Repeatedly.

3048. Are they on a stamp?—Yes, on a penny stamp.

3049. In case a man had gone to sea, and a shipowner declined to pay the advance note, if he was brought before you you would make him pay very quickly?—I have nothing to do with that; with making the shipowner pay the advance note.

3050. Would you not make him pay, or do something else?—I have nothing to do with that whatever.

3051. But you think, as stipendiary magistrate of Liverpool, and having a great knowledge of seamen, it would be almost impossible to do away with these advance notes, unless something was substituted for them?—I do not consider that I am competent to answer that question; I would rather leave it to others more conversant with shipping.

3052. Have you gone through the discipline clauses of this Bill?—Yes.

3053. What do you think of the alteration suggested by the Shipowners' Association in the sixth clause, with reference to the 12 weeks' imprisonment that you are empowered to inflict at present?—I may say that, although as it now stands the law imposes a penalty of 10 or 12 weeks for desertion, I now rarely give it. Some years ago a Bill for merchant shipping was brought before the House, but it did not get through. The House of Commons got as far as the Discipline Clauses, and I think they came to the conclusion that six weeks was the highest punishment that should be given, instead of 10 or 12. I have looked upon that as an expression of the opinion of an important branch of the Legislature upon that point, and I have very rarely given more imprisonment than that since.

3054. We have heard before this Committee that it would be much better if the sailors could be got to join their ships two or three days before they sailed; do you think that would be possible in Liverpool?—That is a question I cannot answer. I have heard it suggested that they should be on board 24 hours before they sail, and I think that would be very desirable, if it could be managed.

3055. You have studied the Discipline Clauses; perhaps

Mr. *Bates*—continued.

perhaps you would be good enough to give the Committee a general idea of what your opinions are upon that matter?—Presuming that the right of arrest remains, I should like the Committee to consider whether it would not be desirable to give the magistrate the option of imposing a money penalty up to a certain amount instead of imprisonment. If there were such a discretionary power, I think it would often meet the justice of the case.

3056. I suppose, as a general rule, sailors never have any money, so that it would come to the same thing?—I do not think it would; as a rule, I daresay they have not any money; but there are many cases in which they could find the money.

Mr. *O'Shaughnessy.*

3057. Is there not at the end of the 6th clause a discretionary power given to imprison with or without hard labour?—That is in the case of forfeiture of wages. But then suppose there are no wages due. I take it that the Bill provides that, where wages are due, the magistrate may deal with the case in that way if he likes.

3058. How would you extend it to the case where no wages are due?—I think it is desirable to have the power to impose a fine, if necessary. Then in regard to the proviso at the end, with reference to the person being sworn and examined as an ordinary witness, I confess I should not value his evidence more in that case than I do now. I do not think it would make any difference; but if it is thought desirable to give that power I do not see any objection to it. I should give as much weight to a statement not an oath, if I thought there was anything in it.

Chairman.

3059. The point is, allowing him to be examined, which at present he is not?—He makes his statement at present, but not on oath.

Mr. *Bates.*

3060. He makes his statement to you?—He is always asked what he has got to say.

3061. And I think you say that if he were sworn you would not consider his statement of much more value on that account?—Very little; if there was anything in it I should give as much heed to it as if he had been sworn. At the same time, I see no objection to the proposal.

3062. What do you think of the 7th clause as to seamen deserting or absenting themselves without leave after joining the ship?—That, I think, is all right; that is a clause which would be put in presuming the law to be altered as to the arrest of the seaman before he joins.

3063. Is there any other clause you would wish to remark upon as stipendiary magistrate of Liverpool?—I think there is a good deal in the remark which the Shipowners' Association make, as to giving power under Clause 9 to one sailor to ask for a survey.

3064. What do you think of that?—I think there is great force in their objection to it; I cannot add anything to what they say.

3065. You think it would be very objectionable to give such a power to one man?—I think it would.

3066. You think that the law as it at present stands is sufficient?—I think so; you generally find that where there is one objectionable man on board he gets two or three others to follow him.

Mr. *Bates*—continued.

3067. Is there any other clause you would like to remark upon?—With regard to Subsection 10 of Clause 9, I observe that the period of imprisonment for a person making a false allegation is one month.

3068. Do you think that is inadequate?—Quite inadequate; I think it ought to be not exceeding six months.

3069. Have you any remarks to make upon Clause 10?—No.

3070. Have you anything to say with regard to Clause 11?—I may remark upon Clauses 11 and 12 together. The 11th clause provides that certain Acts are to be misdemeanours; the 12th clause states that certain other Acts are to be felonies; and then it goes on to state that the person who commits an offence mentioned in the latter section may also be prosecuted for the same before, and convicted by a court of summary jurisdiction: that is to say, this section, as it stands, gives summary jurisdiction to deal with offences which are made felonies, and not with offences which are made misdemeanours, which are considered lighter. I think it would be very desirable to introduce the words in this clause, where power is given to a court of summary jurisdiction, "if he consents to be tried summarily." I would give the seaman the power of objecting to be tried by a court of summary jurisdiction. That is a principle which we are accustomed to deal with every day under what we call the Criminal Justice Act. Before a magistrate can deal with a man for an offence of stealing upwards of 5 *s.*, he must ask whether he consents to be so dealt with. If he does not, the magistrate cannot deal with him.

Mr. *Macdonald.*

3071. Is that the law; that a man has a right to elect to be tried by a jury?—Oh, no. There are many offences that a magistrate can deal with without consent; but the Criminal Justice Act says, that if a man has stolen upwards of 5 *s.* the magistrate cannot deal with him summarily without asking him whether he consents to be so dealt with. I would apply that principle here.

Mr. *Bates.*

3072. Have you anything to say on the 13th Clause?—No; but I think with regard to all these clauses, as to discipline, it might be desirable for the Committee to consider whether they would give the magistrate the option of imposing a fine.

Chairman.

3073. Do you not consider that the alternative of a forfeiture of wages is put in the position of a fine?—If wages are due; but suppose no wages are due.

3074. Would it be possible for a man who had not any wages to forfeit to pay a fine?—His friends would often find it for him. This is after the return of the ship, and very often friends will readily find the money.

Mr. *Bates.*

3075. If his friends did not find the money, or he had not any, what then?—He would go to gaol.

3076. Have you any remarks to make upon the

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Mr. *Bates*—continued.

the 14th Clause with regard to insubordination?—I think not.

3077. With reference to the 15th clause, do you think it would be desirable to define what is called a proper look out?—No; I think it is very well understood.

3078. You would not think it necessary?—I do not think so. There is one remark I would make with regard to the imprisonment for a period not exceeding two months. It strikes me that it ought to be three months, but I think that has been pointed out before.

3079. Have you anything to say with regard to the 16th clause?—There again, I would give the seaman power to object to be tried summarily; the first section renders him liable to be kept in penal servitude for 14 years for a certain offence; the second clause gives power to a court of summary jurisdiction to give three months; I think that ought to be extended to six months, and that the sailor ought to have the option of refusing to be tried by a court of summary jurisdiction if he wishes to be tried by a jury.

3080. Have you anything to say on the 17th clause, with regard to wilful damage to ship or cargo?—I would make the same observation there; I can quite imagine cases in which three months would be an inadequate penalty; in all cases I think the sailor should have the option of being tried by a jury if he wishes.

3081. With regard to the 17th clause, suppose an engineer of a steamer should wilfully throw a piece of iron, or anything of that kind, into his engine and smash it, do you think that three or six months would be a sufficient punishment for a man like that?—Would not that come under the 11th section? doing an act tending to endanger life and limb on board the ship.

3082. You think it would come under that?—I am inclined to think so, but I have not considered the point.

Chairman.

3083. As a misdemeanour?—It looks like it.

Mr. *Wilson.*

3084. Is the engineer a seaman?—There would be a question whether the engineer would be considered a seaman; they do not call themselves seamen.

Mr. *Bates.*

3085. With regard to the 18th Clause respecting the rescinding of a contract, what do you think of that?—I presume that is intended to give power to the magistrate to rescind the first contract of service, if it comes before him; any contract. I do not see any objection to that at all.

3086. Do you know anything about the time for the payment of wages?—That is out of my province. I have read the reasons given in the paper issued by the Merchant Shipowners' Association.

3087. Do you agree with them?—They seem reasonable. It is very difficult, I should think, for the captain to prepare a statement of wages in the time proposed.

3088. You think that the statement made by Mr. Williamson on that subject is reasonable and right?—I think so; he is a very acute and able man.

3089. Is there any other point upon which you would like to make any remark?—With

Mr. *Bates*—continued.

regard to the provision in the 18th section: "Every master shall during the voyage enter every matter in respect of which deduction is made," &c. I think that is a most desirable provision.

3090. You approve of it?—Yes, I think it is very desirable.

3091. Do you think it would be desirable to give a sailor money immediately on leaving the ship when he arrives home; and if so, what sum do you think should be given. It is proposed to give him 2 *l.*, or a quarter of his wages if it amounts to less than that; do you think that 2 *l.* would be too much or too little?—I am afraid that he would lose it the first night.

3092. Therefore, perhaps if he got a little less he would be better off?—I should say so. He would either spend it or be robbed of it. The first thing a sailor does when he leaves his ship is to get his friends about him, and treat them all round, and then he goes off and spends the night where he should not, and perhaps gets robbed there.

3093. Do you know anything of the general character of sailors' lodging-house keepers in Liverpool?—I do not know much about them; their reputation is not good on the whole, but I believe there are respectable men connected with that business in Liverpool.

Mr. *Wilson.*

3094. Do you think there would be any possibility of making use of some other punishment for sailors instead of sending them to prison; for instance, sending them to sea without wages, forfeiting the wages to some fund?—I have never considered that question; I should doubt it very much.

3095. Have you experience of the result of imprisonment of these men?—I do not think it is very much.

3096. Do you know what the treatment is when they get into prison?—They are treated according to the Act of Parliament; they are obliged to be treated in a certain way.

3097. The same as other prisoners?—Certainly.

Mr. *Macdonald.*

3098. Is there any special privilege to them?—I am not aware of any. I do not give them hard labour when I send them to prison.

Mr. *Wilson.*

3099. What do you think is the principal cause of seamen being brought before you?—Drink, in nineteen cases out of twenty.

Mr. *Burt.*

3100. You referred, at the outset, to some evidence given by Dr. Cummins, as to the number of magistrates that are shipowners?—I think he exaggerated.

3101. I think Dr. Cummins' statement was with reference to those directly or indirectly interested in shipping?—I think he exaggerated even in that way. I mentioned one or two names that were referred to; for instance, there was one gentleman, Mr. Lister, I think, who, it was said, would be likely to be interested in shipping; I asked him the question, and he said he was neither a shareholder in a shipping company nor a shipowner.

3102. I suppose it would be somewhat difficult to

Mr. *Burt*—continued.

to get an exact list of those who are indirectly interested in shipping?—It might be done by addressing a letter to each magistrate.

3103. So that any answer given would only be given as an approximation?—That is all, without a personal application to each magistrate.

3104. I understand you to object to Clause 4, which applies the Employers' and Workmen's Act to seamen, on the ground that, in your opinion, it would not be workable, and you gave certain reasons why you thought it would not be workable; you were asked if you had any objection to the present mode of dealing with seamen when they desert or refuse to join their ship, and I understood you to say that you had not any objection to the present mode of dealing with them; it has been given in evidence here by shipowners, ship captains, and others, that a very large proportion of those men who are taken on board ship, are in a state of drunkenness?—Yes, I believe that is so.

3105. You would scarcely consider that satisfactory?—Certainly not; I wish it were otherwise. I do not think the boarding-house keepers make them drunk, as stated, I think, by some witness; their interest would be to get them on board.

3106. Do you not think that the advance note has something considerable to do with that?—No doubt; because with the advance note they pay for their pay, and their clothes, and they get a small balance given to them on which they get drunk. That is the case with men of that class.

3107. And you stated, of course, quite consistently with that, that it would be desirable to abolish the advance-note system?—If it could be done.

3108. If it were abolished, do you not think that when the seaman was in such a position that he could not have this advance to rely upon, it would have a considerable tendency to make him a little more thoughtful and provident than he is at the present time?—If he had not the means of getting drunk, he would not get drunk, certainly. There are a certain class of them that are provident.

3109. Judging of the natural tendency from what we know of ordinary human nature, do you not think that if the seaman had not this advance to depend upon or to expect, it would render him more thoughtful and provident than at the present time?—I am sure I cannot say; the question seems to be, how are you to get the crews without it.

3110. I understood you to say that, in your opinion, when a seaman gets an advance note and refuses to join his ship, he is guilty of fraud?—I think so.

3111. Would there be any objection to treating him according to the common law, for an offence of that sort, having got money under false pretences, rather than having an exceptional law applying to the seamen?—That would be a very difficult thing; it would not be workable at all, because obtaining money under false pretences according to our law, as at present, is a misdemeanour which must be prosecuted by indictment. It is one of the anomalies of our law which ought, I think, to be removed.

3112. I understood you to express the opinion that it would be desirable to have the power of

Mr. *Burt*—continued.

imposing a money penalty as well as imprisonment?—In lieu of it.

3113. With regard to Clause 4, do I understand you to mean that if the seaman could pay a money penalty for what, in the case of an ordinary workman, would be a civil offence, he ought not to be sent to prison?—The question of a money penalty or imprisonment would only arise when the man was before the magistrates. I object to Clause 4, because it would be impracticable to get the sailor before the magistrate under that clause. You would not know where to find him, and the shipowners would not be at the trouble of prosecuting him.

3114. You stated, in reply to the honourable Member for Plymouth, that your experience was that seamen, instead of being treated with unusual harshness when before a magistrate, were treated with unusual leniency?—I stated that that was my own feeling towards them, and I think it is the feeling of most English people; they have a weakness for sailors, I think.

3115. It has also been given in evidence that ship captains and officers consider that when they are before magistrates they are treated with unusual harshness; does your experience agree with that?—I think that many masters of ships do believe that the magistrates lean too much to the sailors.

3116. But do the ship captains and officers think that they themselves are treated with harshness?—Do you mean in regard to the question of wages?

3117. No; the ship captains, when they are brought before magistrates, have the same sort of feeling, have they not, that seamen have, and consider that they are subject to unusual harshness; that there is a prejudice against them?—Do you mean where sailors bring the master up?

3118. Yes?—If there is anything in it, and the person is convicted, I suppose that is the usual feeling.

3119. But you think, on the whole, the law is impartially administered?—Yes, and I think they think so.

Mr. *Bates.*

3120. The honourable Member alluded to the case of the "Locksley Hall" and Mr. Paget, that has been mentioned here?—That was a very exceptional case.

Mr. *Burt.*

3121. I understood you to say that if a seaman was sworn and examined and gave his evidence, you would not attach more importance to it than you would do to his statement at present?—I should take his statement if I thought there was anything in it, and it would matter very little to me whether he was sworn upon it or not.

3122. Is that the general principle that you apply to all, or do you think that the seaman attaches less sanctity and importance to an oath than anybody else?—I think he is very reckless; I do not say he would commit perjury more than other people. I apply that not only to seamen but to people in general of that class. If at the end of a case a statement is made before me by a prisoner, whoever he may be, sailor or otherwise, and I think there is anything in it, I inquire as particularly into it as if it were made on oath, and if I thought it rational I should give as much heed to it as if it were made on oath.

3123. So

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3123. So that you do not mean anything invidious in regard to seamen?—Certainly not.

Mr. *Macdonald.*

3124. You made, at the outset, the statement with regard to the magistrates in Liverpool, that only a very small number of them were shipowners?—Comparatively. Not a very small number. There are a number of them who are shipowners, about 20 out of 60.

3125. You told us that you had nothing to do with shipping?—Nothing whatever; I have not even shares in any of the companies.

3126. Who do you consider a shipowner?—The man, I suppose, who is registered as the owner, or the mortgagee of a ship.

3127. If that is your definition of a shipowner, may not every person on that magisterial roll, with the exception of yourself, for aught you know, be connected with ships?—I know they are not.

3128. How?—From two or three instances. I asked one gentleman who was said to be in all probability a shipowner, and he told me that he had no shares in ships, and did not belong to any shipping company.

3129. Do you know of your own knowledge the private business of the public men of Liverpool, so that you can tell us absolutely that these persons have nothing to do with ships?—Certainly not.

3130. Have you ever known of persons having denied all connection with certain occupations, who were afterwards found to be deeply interested in them?—I am not aware of any instance, but I can imagine that there may be such cases; this list has been marked for me by a gentleman who is a shipowner, and is conversant with these matters.

3131. Although you tell us that there are only a few on the magisterial bench who are shipowners, every one of them, with the exception of yourself, may be more or less, directly or indirectly, interested in the shipping trade of Liverpool?—They may be.

3132. In answer to the honourable Member for Plymouth, you said that if an advance note was not cashed, you had nothing to do with it; why have you nothing to do with it?—My court is a criminal court.

3133. Then this contract, which you have the power of administering, has two sides, a criminal side and a civil side?—I have nothing to do with the civil contract.

3134. I am asking you if that is the case?—I have nothing to do with the civil contract.

3135. I am speaking of the contract between the shipowner and the seaman?—The law provides that if a seaman receives an advance note, and fails to go to sea, he is to be brought before a magistrate. I deal with such a man summarily for the offence; I have nothing to do with the note.

3136. You deal with him criminally?—Yes.

3137. If a sailor goes to sea, he comes before you and is tried as a criminal; if a shipowner refuses to pay a note, he goes before a civil court, the county court, and is there adjusted in a civil manner?—I presume so.

3138. Is it not so?—I presume so; I do not know it of my own knowledge.

3139. You know the law?—I do not know the course they take.

Mr. *Macdonald*—continued.

3140. Do you mean to tell me that you do not know that that is the law?—I presume if a man cashes a note, and the sailor does not go to sea, if he goes to the persons who are liable upon the note, they will not pay because the man has not gone to sea.

3141. My question is this: if a shipowner refuses to cash a note, is not that purely a civil action as far as he is concerned?—Certainly.

3142. Can you tell me what justice or equity there is in a contract that has to the one contractor a criminal penalty, and to the other contractor merely a civil penalty?—I do not think you could deal with a sailor simply as with a civil contract; he is not worth anything to be dealt with in a civil court of law.

3143. You make him criminal?—I do not; the law makes him criminal.

3144. Do you consider the law just that makes him criminal because he is not worth anything?—I do not put it in that way.

3145. How do you put it?—The law says that is the only way of reaching a sailor who breaks a contract and commits a fraud; it says he must suffer in some way, and if he cannot pay civilly he pays in person.

3146. We have heard of bad meat and bad food being given to the sailor by the shipowner; is that a criminal offence just now; has such a case come before you?—I have had cases brought before me in which it has been alleged that the provisions were not right on the voyage. Those cases are provided for in the Merchant Shipping Act.

3147. You have had numerous cases of that kind?—Not many.

3148. You have had such cases?—Very few, but not for many years, I think.

3149. Therefore it is not a novelty to you to hear it mentioned?—I have heard of bad provisions being supplied.

3150. The statement has been made before you as a magistrate?—Yes, I have tried such cases as a magistrate under the Passengers Act.

3151. Have you ever sent, or have you power to send, the owner or the agent, or the captain to prison for supplying bad food?—No, I do not think I have; I forget the clause which relates to it; I do not think there is such a power.

3152. So that the whole of the shipowners' duty in the contract is civil?—Apparently; I am speaking now without referring to the clause. If there be a provision to deal with it otherwise, I have forgotten it.

3153. Whereas the law recognises violations of contract on the part of a sailor as a criminal procedure?—Yes.

3154. Do you see any reason why this should be the case; that the seamen should be selected as a class from all others, and that their contract should be criminal, while the whole community is carried on without contracts being criminal in any sense of the term, such as this?—I cannot give you any other reason than I have given.

3155. Then you think it is necessary that this exceptional law should be continued?—I do.

3156. Do you think it was wrong to abolish the criminality of the law of contract in other cases in society generally?—I believe that is not before us now.

3157. You have told us that it would be difficult to get rid of the advance note?—I think it would, but that is a question which other witnesses

Mr. *Macdonald*—continued.

nesses could give better information about than I can.

3158. Several shipowners of great experience have been before this Committee, and stated upon their own personal knowledge that the advance note is the principal cause of the drunkenness and waywardness of the seaman in joining his ship?—I am afraid it is.

3159. And further, that they have often in their experience had to take men on board in a state of what it would be an insult to the brute creation to call bestial intoxication; if such a state of things is produced by the advance-note system, do you think that some effort should be made to get rid of it?—Certainly I think it should be got rid of, if it is possible.

3160. Suppose a law was passed to prohibit advance notes entirely, do you think that the seaman is so irreclaimably bad that he would not live without the advance note as well as with it?—The question is whether anybody would give him credit. He lives on credit up to the time of getting his advance note.

3161. There was a time when nearly all work men were supplied with goods in advance as seamen are now. When it was proposed to abolish that truck system, the argument was that the men could not live if they did not get their advances; now, if in other grades of society, amid iron-workers, weavers, and a hundred other trades that come within the Truck Act, advances were abolished, and the men became not only provident, but careful in their habits, and the entire want or necessity of advances has disappeared; do you think that the seaman is worse than other classes of the community who have been made the subjects of an alteration in the law, and that he would not in time assume as independent a character as they possess?—I should be very glad to think so.

3162. Is there anything in the character of a seaman that is hopelessly or irreclaimably bad?—I think he is peculiarly reckless, that is all. I would not say that he is hopelessly and irreclaimably bad; I think he is hopelessly reckless; I am afraid so.

3163. In your experience is not that recklessness promoted by this vicious system of advance notes?—It is promoted by drink, and the sailors could not get drink unless they got some money.

3164. You have been asked if the men could be found when they had got the advance note unless there was a criminal punishment hanging over them; if there were no advance note would there be any necessity of seeking after the men? would it not change the entire system?—Of course it would, but how would you get the men to the ship?

3165. Do you suppose that the men would not desire to earn their bread in an honest form without being impounded and carried through the street, or brought before the magistrates as they are now, if this advance note system were done away with?—They must get their living somehow, and if it could be managed it would be very desirable.

3166. Have you no doubt about it?—That is a question, as I said before, upon which I do not consider myself qualified to give an opinion. There are gentlemen present in this room connected with the Sailors' Home who could answer that question better than I can.

3167. You have had long experience, which we all esteem?—Not outside my own court; my evidence is worth nothing, except as to what comes before me in court; I will answer anything I possibly can with pleasure, but I do not think my opinion on that point is worth much.

Mr. *Macdonald*—continued.

3168. Do you not think that the advance note lies at the bottom, in a large degree, of this evil that I have referred to?—I think that to some extent that is true, and if it could be done without, I have no hesitation in saying it would be most desirable.

3169. And if it is abolished, would not all this system of requiring apprehension, and considering the seamen fraudulent disappear?—You cut the ground from under one's feet as to dealing with it. If the advance note were abolished, there would be fewer charges against a man for not going to sea.

Mr. *Plimsoll.*

3170. You have spoken of the desirability of giving the magistrate the option of substituting a fine for imprisonment, and you have also spoken of the advance note; has it ever occurred to you how it is that these things are so readily cashed by outsiders. Must not a lodging-house keeper have a very high opinion of the honour of a sailor when he cashes an advance note, depending only on a sailor's honour for going on board?—I have often thought that they run very great risk in doing so; I believe they deduct 10 per cent.

3171. Has it ever occurred to you that the abolition of imprisonment would tend indirectly but effectually to destroy the system of advance notes?—I am informed by the out-door superintendent of the Sailors' Home that the threat is often used, that if these men do not go on board they will be taken before Mr. Raffles, and that often induces them to go.

3172. It would seem to follow that if they were not liable to be arrested and taken before the magistrates, people would cease to cash these notes?—I should say they would.

3173. Do you not think that the destruction of these advance notes which are acknowledged on all hands to be so pernicious, would come about indirectly in that way much better than by any attempt to abolish them by enactment, which would seem to be interferences with freedom of contract?—That would be a question for the shipowners how to get the ships manned. I imagine that when they got to the end of their resources, they would be glad to find employment like other classes.

3174. We have had it given in evidence, that although there would be a little difficulty experienced by a certain class of shipowners in the transition state, the business relations of employers and employed would settle down into their normal condition, and after a temporary inconvenience there would be no difficulty?—I can hardly answer that, I should be very glad to think so; but my opinion would be worth very little or nothing if I were to give it.

3175. Where a man has intended to go on board, and taken his clothes on board, and so given hostages of his intention, and then gets tipsy, and comes down too late, what do you think of the power to inflict a fine which could be varied in amount by the magistrate?—It is in those cases that I have felt regret that I was not able to

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to impose a fine, I arrived years ago at that conclusion; I wish I had the power.

3176. Do you not think that a very different case from a case of deliberate desertion?—Certainly; it is a case of a different degree. Some cases simply result in inconvenience and delay, and expense to the shipowner.

3177. You were also asked your opinion as to the clause which gives to a single seaman the power to lodge a complaint upon which the vessel could be stopped; do not you think the seaman is a very poor judge of the seaworthiness of a vessel?—An ordinary seaman is a very poor judge. I should think there are certain things he knows about; when a vessel is properly rigged, and so on; but I should think he would be a very poor judge, generally speaking, of the seaworthiness of a vessel.

3178. Do you think that there is any reason why lodging-houses should not be licensed by the magistrates of the ports?—Seamen's lodging-houses?

3179. Yes?—I think it is most desirable that they should be.

3180. And for the same reasons, based on the public good, as beerhouses, where intoxicating drinks are sold; do not you think the reasons are equally strong?—A lodging-house as a lodging-house is under municipal inspection; but I think the seamen's lodging-house keepers ought to be licensed.

3181. I quite agree with you, and having the fear, then, of losing their license, there would be a necessity upon them of conducting themselves to the satisfaction of the magistrate, and that would be a considerable check upon practices which are very pernicious?—I think it is most necessary that seamen's lodging-house keepers should be licensed.

Chairman.

3182. Are crimps' houses licensed?—All lodging-houses are licensed in Liverpool; but the thing is to license the men who keep these houses for seamen.

Mr. *Gourley.*

3183. Public-houses are crimp houses, are they not?—I have very great difficulty in finding what crimp houses are.

3184. Nearly all the public-houses on the quay side, Liverpool, are crimp houses?—I suppose they may be to some extent.

Mr. *Plimsoll.*

3185. It has been stated that vessels are sometimes lost because the crews are put on board just before they go to sea in a state of helplessness; do you not think in such a case as that the responsibility is rather on the officers for going to sea than on the men, who were confessedly not in a fit condition; do you not think it desirable that where a port is so near the sea as Liverpool is the men should be on board 24 hours before going out?—It is most desirable if it could be done; if a vessel were lost and it were clearly shown that it was because there were so many men drunk that there were not enough to work the ship, and the case came before me on enquiry by the Board of Trade, I should be certainly inclined to make the master responsible.

Mr. *Dalrymple.*

3186. You objected, I think, to the power being given to the seamen to stop a vessel?—To one seaman.

3187. Even though it is stated in the note that the Court is not bound to direct a survey unless satisfied that the seaman made out a *primâ facie* case. You think that is too great a power to give to one seaman?—I think so.

3188. You mean to one seaman and not to the seamen themselves?—One seaman is what I object to. As the law stands, I think it must be five at the least.

3189. You also thought, I think, that the penalty in Sub-section 10 of Clause 9 ought to be six months, and not one month?—Yes; I should say a period not exceeding six months.

3190. But if the penalty were made very severe against giving false information, would it not go far to meet the risk of one seaman giving wrong information; would the one change, in fact, which you suggest in that clause not go very far to meet the other?—I am afraid not; a seaman will not consider the consequences.

3191. In the natural course of things, would that penalty be known to the seamen?—It is very doubtful.

Mr. *Gourley.*

3192. I suppose the present law of arrest without warrant, as a rule, is a dead letter, and very seldom put into operation by the shipowner?—Oh, very often; that is the way they come before me. They are arrested for not going to sea.

3193. As compared with the large number of seamen who have engaged and joined their ships, the number of seamen brought before you is comparatively small?—I can give you some information upon that point. I rather think that this Committee has asked for a return; but the return has been sent down in this shape, that the governor of the gaol was asked to send a return of those who had deserted or neglected to proceed to sea; and it appears to have been thought that that did not include those who neglected to join; but I have got a return here which is, I think, perhaps more authentic, from Captain Garnock, of the Mercantile Marine Office, Liverpool, of the number of seamen sent to prison for desertion and neglecting to join in the port of Liverpool: in 1875, 222; in 1876, 223; in 1877, 181.

Chairman.

3194. Does it distinguish the two offences?—No.

Mr. *Gourley.*

3195. Then really the number of seamen who desert, compared with the number who joined their ships, is comparatively small?—Oh, yes.

3196. Do not you think if seamen were subject to civil process in lieu of the present criminal process, that would have a tendency to improve the moral tone of the men themselves?—I cannot say. Of course these are the worst class amongst them.

3197. They are supposed to be the worst class; can you say whether, as a rule, the men who desert do so through drunkenness?—Nineteen cases out of 20.

3198. Then would it be right that men who desert from drunkenness should be punished in the same manner as other men who are in the habit of being brought before the bench of magistrates for being drunk?—So they are.

Men

Mr. *Gourley*—continued.

Men who are found drunk in the streets, and who cannot get home, are taken by the police, and locked up.

3199. But not for two or three months?—A man who is drunk and riotous in the street now may get one month.

3200. In other cases the magistrate has the option of fining?—Yes; and I have long thought the magistrate should have that option in these cases as to seamen. I have regretted that I could not do it.

3201. But at present he has no option?—No.

3202. You were asked some questions by the honourable Member for Plymouth in reference to the 15th clause; do you think it possible that the masters and officers can keep the look-out in the strict letter as laid down in that clause?—I think so, certainly. I do not see any reason why the officer of the watch should not keep the look-out. I hold that it is his duty now to do it according to law.

3203. But now it is laid down in terms which I fancy you, as a lawyer, would say have a tendency to lead to litigation?—I think not.

3204. Do you think this clause would be an improvement on the present system?—I think it is very desirable that a master or officer, who does not take care to see that a look-out is kept, should be liable for it. There is one thing with regard to that which I overlooked in what I said just now to the honourable Member for Plymouth. It is line 13. If he has not a certificate the penalty is "not exceeding 20*l.*;" but if he is certificated he is to have his certificate cancelled. I think it would be desirable to introduce the words "suspended or cancelled," so as not to compel the magistrate to cancel it.

Chairman.

3205. You say that men are often now brought before you arrested without warrant. Is that a formal mode of arrestment by the constable, or is it merely the sort of arrest we have heard described by several people, where a shipowner, or somebody for him, finds a sailor in a public-house, and says, "Come on board," and if he does not, takes him himself to the magistrate's office?—No; he is given in charge, generally speaking; he is looked after by an officer of the Sailors' Home, and either by him or somebody else given in charge.

3206. Is it not a fact that a great many de- brought by the shipowners or their certain amount of force, from the where they were drinking?—I dare- but I cannot say from my own

3207. could not call that an arrest with- They must be given in charge to would not book them unless

3208. the hands of a constable.

3209. And constantly are?—No doubt they are.

3210. Do not you think that would still be the case if this 4th clause were passed?—I have no doubt they would get as many men on board as

Chairman—continued.

they could; but failing to get them on board, I do not see how they could be found.

3211. We have the evidence of shipowners, that a great number of defaulters are so found and taken on board, with a force, which I suppose in the strict eye of the law, would be considered almost an assault; but it is an habitual and customary mode of getting defaulters on board?—No doubt the 4th clause applies to those who do not join.

3212. You seem to think, if a warrant or a summons was necessary, these defaulters would not be easily found?—No.

3213. But still, the evidence that defaulters are generally to be found in the public-house and brought on board, shows that they may be found?—In addition to that, you would have to go to the police-office to take out the information and the summons, and get a day fixed for the hearing; and I do not think a shipowner would take that trouble. Individually, I have no doubt it would relieve me from a great deal of business.

3214. You say that the law treats a seaman criminally, because he is worth nothing?—I mean to say that it is no use proceeding against him civilly; you cannot get anything out of him.

3215. But are there not a great many workmen in the country, who, failing in their contract to work, are treated civilly, though they are equally worth nothing?—No; for the most part they have a local habitation, and can be got at. Many more of them than is the case with sailors, are married men.

3216. But have they as little property to go upon?—In that case the law provides that if it will be ruinous to them to distrain for a penalty or fine, they can be sent to prison for a certain time.

3217. And if these seamen, who are worth nothing, had civil proceedings taken against them and had nothing to pay, they also would go to prison, would they not?—Certainly.

3218. So that civil proceedings against a man worth nothing, end in prison, just as much as criminal proceedings?—But I am afraid they would escape altogether if there were no power of arrest. You would not find them; and besides, there is this difference, which is pointed out in the very Bill which is now before the Committee. Section 5 is headed "Fraud," and must be passed, I presume, if the 4th clause passes; because the 5th is a necessity of the 4th. If the power of arrest is taken away, and you pass the 4th clause, then the 5th provides for the absconding with the wages, and then he is to be liable to six weeks, with or without hard labour.

3219. That is a distinct fraud which, if Clause 4 was not passed, would remain without punishment?—It seems to me if you do not pass Clause 4, Clause 5 falls to the ground, and that is the reason why I say there is a difference in these cases. There is an element of fraud in all these cases of seamen not joining their ships after having received the money.

3220. You say that failing a contract to join a ship could not be treated as getting money under false pretences, because that is treated by the law as misdemeanour. Suppose the law were so altered as not to treat it as a misdemeanour, do you think that that breach of contract might be treated as getting money under false pretences?—Obtaining money by false pretences being a misdemeanour, must be prosecuted by information

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information on warrant. A person in an ordinary way goes to a grocer and says, "John Thomas sent me for so many pounds of groceries," and John Thomas did not; that is obtaining goods by false pretences. That is very little different from stealing, but it is a misdemeanour, and must be prosecuted by information on warrant. You cannot take the man up as you can for an ordinary felony, for stealing sixpence. If a man steals sixpence you can take him up without a warrant; if he obtains five shillings' worth under false pretences, you must treat it as a misdemeanour, and that is a distinction which ought to be done away with, I think.

3221. In Clause 6 you have objected to the proviso in the last three lines, because you said there was no necessity to swear the defendant; that his words were good without his oath; but do you not see that the object of these last three lines is to enable a man who has been criminally treated to have an advantage which he would have if he were civilly treated?—I do not see any objection to it. There is a similar proviso in the last Licensing Act. Mr. Cross's Act allows a man to be sworn who is charged with certain offences.

Mr. *Macdonald.*

3222. There is a very general feeling, is there not, that that should be so in a great many more cases?—I think so; I often regret that I cannot examine the defendant in a case of ordinary assault, and of course it follows that you must have power of cross-examination also.

Chairman.

3223. By the Shipping Act of 1876, a shipowner is able to give evidence in his own behalf. Does it not, therefore, seem fair that a seaman treated criminally for desertion, should have the same right to give evidence in his own behalf?—I cannot see the least objection. What I meant to imply by my remark on that clause was, that if a man makes a statement before me, and I think it a reasonable statement, I think just as much of it as if he was on oath.

Mr. *Macdonald.*

3224. Whether a seaman or anybody else?—A seaman or anybody else.

Chairman.

3225. In Clause 5 you object to a single seaman being allowed to allege the unseaworthiness of a ship in his own defence. Do you observe that he is not allowed to demand a survey, but simply to ask for it; and the magistrates have in the first place to satisfy themselves of the *primâ facie* truth of his allegation before they grant a survey?—That is so; I am not quite clear how the court is to satisfy itself on the point; it is rather difficult to say.

3226. No doubt you can give us very important evidence upon this point; and I should just like to know what course you yourself, as a magistrate, would take if such an allegation was made, which you thought extremely doubtful?—I should examine all the witnesses I could get upon the point, to see whether there was any foundation for it as far as I could judge.

3227. Would you not send some one to inspect the ship?—No; because that would involve expense, which I have no power to go into.

Mr. *Torr.*

3228. And involve delay?—Involve delay and expense.

Chairman.

3229. You would take what evidence you could in the court as to the seaworthiness of the ship?—Yes. I should endeavour, in the first place, to examine those whom I could get at to find whether the allegation was groundless or not. If I had any reason to suppose it was not groundless, that would lead to a detention, because, probably, I would order a survey; but, if I found I could dispose of it, I should endeavour to do so without a survey.

3230. Any objection upon that score to that clause would be an objection to the existing law, because, by the existing law, five seamen can make this allegation, and the magistrate has to satisfy himself as to the *primâ facie* truth; the only alteration is to enable one seaman to do what five may now do?—It is not in my recollection whether this first sub-section is in the Act of 1867: "The Court having cognizance of the case shall take such means as may be in their power to satisfy themselves concerning the truth or untruth of the allegation."

3231. I think it is?—Then, of course, the same thing follows.

3232. Cannot you conceive a case in which a single seaman might have a reason to make such an allegation in which it would be very hard to force him to go to sea in a ship which he had good reason to believe unseaworthy?—I can imagine such an extreme case; but I think it would very rarely happen that only one man would do it, because they follow one another like a flock of sheep.

Mr. *Gourley.*

3233. Would you consider that it was just to the other seamen and to the owners of that ship that the delay which would be necessary should be imposed upon them simply because one, say an apprentice, should say the ship was unseaworthy?—I do not think it at all desirable; I think it would be very hard.

3234. Very unjust?—Very hard certainly, on them. I can imagine an extreme case in which it might turn out that a single man would be right; but it is a very extreme case.

3235. Did you ever know of such a case?—Never.

3236. A good many questions have been asked you about advance notes. You express no opinion as to whether they could be done away with or not; but, if they could be done away with, it would be a great gain to the seamen?—Yes; I did not say whether they could be done away with or not, because that is a ... question.

3237. If you were asked whether are to be advance notes or payments of money to the sailor, would you draw a distinction?—Do you mean under the 5th clause?

3238. The words "advance note" are not used here?—Do you mean the objection made by the Shipowners' Association, that after the word "money" "or an advance note" ought to be put in?

3239. Yes?—I think it ought to be put in. If you carry the 4th clause and the 5th ought to be so amended, I think ...

3240. What do they do with the money they get for these advance notes?—They do not get the

Mr. *Gourley*—continued.

the money; they get the note, of their boarding-house keeper gets it, and then it goes to pay their back board and their kit for the voyage. Then they get a few shillings over.

3241. If they had no advance note nor any money in advance, do you think they would be able to pay their board?—That is just the difficulty.

3242. You mentioned that all boarding-houses in Liverpool are registered?—All lodging-houses and sub-let houses are registered and open to inspection.

3243. Then what additional precaution would you suggest?—I should suggest the licensing the keepers of the houses themselves.

3244. All the keepers?—Yes. I have been told by Mr. Jenkins, of the Sailors' Home, that some of them would like it, and wish it.

Chairman.

3245. It has been suggested that it might be made law that if seamen fail to join at the time mentioned in the agreement, their agreement should be cancelled, so that a master should not be called upon in any case to pay both the substitute he has got, and the defaulter, who may turn up before he sails; what do you think of such a suggestion?—I do not see any objection, if the master is willing to do so. If the man is not down by a certain time, the contract is at an end.

Mr. *Wilson.*

3246. Did you mean to license all boarding-houses, or only seamen's boarding-houses?—The boarding-houses are licensed, but I should propose to license all boarding-house keepers for seamen only, because I think it is so desirable to have men of good character as far as you can.

Mr. *Bates.*

3247. Suppose a shipowner refuses to take a sailor who has signed articles on board, and he brings the shipowner before you, can you not deal with that case? I am not talking of any money transaction, but suppose a sailor says a captain would not take him on board and has left him behind, could you not summon the owner?—I am not aware of any power I should have to deal with the owner. It would be a mere matter in which he would have to sue him in the civil court.

Mr. *Bates*—continued.

3248. You said if there was no advance note there would be no necessity for proceeding against sailors for not joining their ships, but is there no other necessity? If a man is a deserter, could not he still be proceeded against, whether there is an advance note or not?—Certainly; as the law now stands, if a man does not join, whether he has got an advance note or not; but it always makes a very material difference to me as regards the punishment.

3249. It appears from this return, which you said was a correct one, that there are on an average 108,000 sailors shipped in a year; and there are only 222 prosecuted?—One hundred and eighty-one the last year.

3250. As a magistrate, do you not generally find that shipowners refuse to prosecute sailors for desertion or not joining the ship?—I have heard so.

3251. It appears there are 14,631 neglect to join in a year, and only 222 prosecuted. It naturally follows that some one must have refused to prosecute?—No doubt.

3252. If the shipowner had not the power to hunt them up and get them on board, do you think it would be a great hardship to a sailor to be left behind when he was in that state?—I think so; I certainly think they benefit the sailor by getting him on board.

3253. And you think when the sailors are sober they are very much obliged to them for doing it?—No doubt; I am quite sure they are.

3254. Do you think that sailors would get drunk if they had no advance notes?—I daresay they would somehow or other.

3255. I think the Committee may take it, from all you have said, that you think the 4th clause will not answer?—I do not think it will.

Mr. *Raffles.*

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Mr. THOMAS HANMER, called in; and Examined.

Mr. *Hanmer.*

Mr. *Bates.*

3256. WHAT are you?—Secretary and Manager of the Liverpool Sailors' Home.

3257. Have you been long in that position?—Since 1850; but not secretary and manager for the whole time.

3258. But you have been there?—Yes.

3259. During that time, I suppose, you must have had good opportunities of acquiring a perfect knowledge of sailors, their habits, and their mode of life generally?—Yes.

3260. Have you seen the 4th clause of this Bill?—Yes.

3261. What is your opinion of it?—My opinion is that it will not work at all; that it cannot work at all; that it will prove inoperative.

3262. You are decided upon that point?—Yes, I feel convinced that we shall have a very much larger number of desertions, failing to join, &c., if this clause passes into law.

3263. Is there much difficulty now in getting men to join their vessels?—Yes, very considerable difficulty, but not so much as there used to be; the difficulty is decreasing year by year.

Mr. *Bates*—continued.

3264. What is the mode of getting sailors on board who neglect to join when a ship is going to sea; what is the course Mr. Jenkins follows?—He has a staff under him. Might I premise what I am going to say, that I suppose all you gentlemen will be aware of the fact, that when you speak of the Sailors' Home in this connection, you speak of the Mercantile Marine Office in fact.

3265. One is connected with the other?—In the same building.

3266. That is only in Liverpool; it is not so in other ports?—I am not aware.

3267. You are only speaking of Liverpool?—Yes.

Chairman.

3268. The Sailors' Home is a voluntary institution?—Yes.

3269. It has nothing to do with the Board of Trade?—No.

3270. It happens to be under the same roof as the Mercantile Marine Office?—Yes, in Liverpool.

Mr. *Hammer.*

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Mr. *Bates.*

3271. Tell us how it is usual in Liverpool to get the men on board who are absent from any cause?—Mr. Jenkins, the out-door officer of the Mercantile Marine Office, has a staff of men under him, and he sends them to the Sailors' Home, or the lodging-houses all over the town, to look them up. There are a great number of lodging-houses; and then he assembles them on the pier-head, and puts them on board their ship or in the dock, as the case may be. If they neglect to join their names and addresses are in the book, and notice is given to Mr. Jenkins. Nothing more is done unless the owner orders a prosecution. Then the man is looked for, and if he is found, a policeman is sent for, and by the policeman he is taken to the Bridewell, and so goes before Mr. Raffles; it is, as a rule, done without any force.

3272. Generally speaking, when Mr. Jenkins puts his men to look after these men, is a policeman sent with them to get them together; does he take a policeman with him?—Never.

3273. You never heard of such a thing, I suppose, as a sailor who was absent from his ship being walked through the streets handcuffed?—Never.

3274. When the owners give orders to prosecute the men, that is after the ship has sailed, is it not?—As a rule, yes.

3275. Do the owners often do that sort of thing?—Not very frequently, as the figures, I think, will show. Out of 2,558 who neglected to join, there were 1,178 whom the owners refused to prosecute. Your own house, Sir, for instance, never prosecutes, and I think Messrs. Brocklebank's, and some other very large firms, act in the same way.

3276. What is the chief reason why these men do not join; do they generally do it wilfully, or is it perhaps that they have had a little too much the night before, or the day before?—I should think that two-thirds of them do it because they have been living riotously, and neglecting the consequences; one-third do it designedly.

3277. Make a trade of it, in fact?—Yes.

3278. Is the difficulty of getting them to join greater with men who happen to be drunk than with men who are sober. Perhaps you have seen Dr. Cummins' and Mr. Fife's evidence?—Yes.

3279. What is your opinion upon that. Is the difficulty to get men to join greater with those who are drunk than with those who are sober?—It is, certainly, with men who are drunk. Men who are sober, as a rule, go on board without trouble.

3280. But I suppose you have known such cases as good men getting drunk?—Often.

3281. Have you ever known cases of men who do not get advance notes getting drunk?—Often.

3282. Then it is not always the advance note that makes them get drunk?—Not by any means.

3283. What do you think of the public-houses on the line of the docks; are they not a great temptation to the men?—A very great temptation. When a cartful of men is being taken from the Home, one of them will jump down at this public house, and another at another; and sometimes the whole lot of them miss the ship in consequence.

3284. But it is impossible to do away with

Mr. *Bates*—continued.

public-houses?—I suppose it is; but there are too many.

3285. Do you think the public-houses are the cause of men deserting a great deal more than the advance note?—Certainly.

3286. What kind of kit generally have those men who desert or fail to join?—As a rule, they have next to no kit at all. It is those men who are the chief deserters.

3287. You have a great many men, have you not, that ship from the Sailors' Home?—Oh, yes.

3288. What kind of kits have they?—As a rule, I think the men at the Sailors' Home have tolerable kits.

3289. Do you cash notes?—Yes.

3290. Advance notes?—Yes, I should think that we cashed 6,000 *l.* worth last year.

3291. What do you do when you ship the sailors from your Home?—Before we proceed to cash their notes we always ascertain what kind of a kit they have, and according to their kit we compel them to lay out money in obtaining sufficient clothing, as we consider, for the voyage upon which they are going, and we give them the balance just before the vessel sails, or, perhaps, a little day-by-day, until the vessel sails. There are a good many that we will not cash at all, because it is generally a matter of unpleasantness to insist upon their getting sufficient clothing. They do not like it; they want the money; but we know that if we give them the money a considerably greater number of them would desert than do at present. They would just go away and we should not see them again. These men get their notes cashed by tailors or by publicans; and I think I may safely say that, as a rule, they desert.

3292. What becomes of the men who, because of their refusal to get sufficient clothes, do not get their notes cashed by you?—As a rule we do not see them again; they are designing men, as a rule, and they cannot be found.

3293. If it is a fair question (I do not want to know too much) might I ask you what discount you charge them?—One shilling in the £.; five per cent.

3294. Is that all you charge?—Yes, and we charge more than covers our loss, I think, in bad notes.

3295. You do not lose by this mode of cashing notes?—No, we lose nothing.

3296. I suppose that the men whose advance notes you have cashed, sometimes desert, or at least they neglect to join?—Yes.

3297. What do you do then?—If the owner fails to prosecute, and the man is a pretty decent fellow, we ship him again as soon as possible and get another advance note.

3298. And the first note is valueless?—Yes.

3299. In that way you repay yourself the money?—Just so. As a rule, the latter lodging-house keepers in self-defence do the same.

3300. Then, because a man gets two advance notes, it does not follow that you get both paid?—No; invariably only one.

3301. If vessels are detained by stress of weather, or any other cause, beyond the time fixed for sailing, is there much trouble with the crew?—Always in that case; the men get dissatisfied. As a rule they will not go to work in the dock. Their money is all gone and they get dissatisfied,

Mr. *Bates*—continued.

dissatisfied, and these men very largely desert. We have very great difficulty with such men.

3302. Then you do not think it would be necessary to have your men on board two or three days in dock before the ship sailed, or to attempt it?—No. In most docks in Liverpool they could not cook because no fires are allowed.

3303. Therefore it is impossible to keep them on board?—Yes; and the great majority of sailors positively will not work on board their vessel whilst she is in dock; they pointblank refuse to do it.

3304. Therefore if this 4th clause was altered, and suppose you shipped your men to-day, and the articles said that they were to be on board on Wednesday, do you think that they would go if the ship did not sail?—No; they would not. They would just go down to see if she was sailing, or if they did not, other people would have to go down for them; they are so utterly careless.

3305. And you think it would be impossible to keep them on board?—Quite so. Lodging-house masters always have to go down to see whether the vessel is going out. We keep a man to go round to the shipowner's offices to ask whether the ship is really going to-morrow or not, because the men will not go and look after it themselves.

3306. In your opinion, do the Liverpool justices deal hardly with the men?—No, on the contrary, it is rather thought that they deal very leniently with them.

3307. Even the shipowning justices?—Yes.

3308. Do lodging-house keepers and crimps, as we have heard here, hound a man who deserts, in order to have him prosecuted; can the lodging-house keeper, without the instructions of the owner, prosecute a man who has not joined his ship?—He cannot do it, and he would not do it in his own interest. He does not hound the man for any such purpose. He seeks after the man, and hides him, in order that he may get another ship, and get another note.

3309. In order to be re-paid the one he has already cashed?—Yes, and lost.

3310. We have the statement here that, in round numbers, 108,000 men shipped at Liverpool last year; does that number include the large Atlantic steamers which pay off and re-ship on board?—Yes, they ship three or four times, and oftener than that, some of them, during the year, and the 108,000 includes those men.

3311. We have heard a great deal about arrest without warrant. If arrest without warrant, or [illegible] inducing a sailor to join, was made illegal, would there, in your opinion, be more or fewer desertions?—I have no doubt that there would be very many more; for, day by day, men are not ready when the out-door man of the Home is ready to take them down, and if there are five or six going to one ship, he would not let the five lose the vessel for the one, and he takes them down. Soon after he has gone, perhaps, the one will turn up and come to the office, and be told that his vessel is going out. Perhaps he will take it rather easy; but when he is told that he will be sent to prison, he will probably say, "How am I to get down? I have got no funds;" and if you propose to send him down in a cab, or in any other way, he is glad to go. As the law stands at present, I think it has a great deterrent effect.

3312. Do you ever find the sailors money, to go on board, under those circumstances?—Yes; and we are only too glad to do it.

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3313. Do you recollect the time when power to prosecute seamen, without a warrant, came into operation?—Yes; I think it was in 1854 that the Act was passed giving the power. The desertions were so numerous, that in 1857, I think, the question was mooted at the Local Marine Board as to what could be done to stop such frequent desertions. It was mentioned by some gentleman present, I do not know who, that there was opportunity for arrest without warrant, and that if that was put into force, he thought it would have a good effect. After a little talk, it was agreed that that opportunity should be taken.

3314. Since that period, what has the result been?—I take it for granted that the Home is a criterion to go by, and, so far as the Home is concerned, the desertions have decreased very considerably. I know that, in the matter of cashing advance notes, we lost only half the amount in 1858 that we had lost in 1857.

3315. And that was because you had power to arrest a man if he did not join his ship?—Yes.

3316. When they knew that this law was to be put into force the desertions were considerably fewer?—Considerably fewer.

3317. What do you call considerably fewer?—I can only form an opinion by the advance notes, and we lost only one-half the amount that we had lost the year before and the year before that.

3318. We have heard that there is a difficulty in getting young fellows to join the sea service; do you find any difficulty in Liverpool?—No; on the contrary, we do not know what to do with them, they flock down upon us to such an extent.

3319. Boys?—Boys. During these bad times there is quite a pressure of boys wanting to go to sea, and shipowners do not take them for some reason as readily as they used to do. If shipowners would take them they could have any number of boys that they pleased.

3320. We have it in evidence here. Question 686, "I have had a letter handed to me from a solicitor in a seaport, who says that it is a great hardship upon sailors charged with offences before a police magistrate not to have any funds to obtain legal assistance, and it is suggested that power should be given to demand an advance of wages accrued from a shipowner when they are so charged; do you think that sailors have been unable on many occasions to obtain legal assistance from want of funds." What do you say to that?—Men who have deserted before the ship has gone to sea are in that position. As a rule they have no funds to employ an attorney, but there is always an attorney ready to take up their case upon their return, if wages are coming to them.

3321. Of the magistrates of Liverpool, what number are shipowners, and what number are not?—After I had read what Dr. Cummins said here, I waited upon one of our magistrates, who is a merchant, and we went through them, and we thought that about one-fifth were shipowners.

3322. You did not think five out of six were shipowners?—No; it was supposed that about one-fifth would be shipowners either directly or indirectly.

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3323. Can you state what the actual numbers are?—Sixty-nine, and out of 69 about 14 were connected with shipping.

Mr. *Gorst.*

3324. How could you know if a particular man was connected with shipping or not; it could only be from general reputation?—If they were shipowners by repute, we of course should know; and if they belonged to the larger companies, I know from personal knowledge a number that are, and a number that are not.

Chairman.

3325. When you talk of shipowners, you do not include those who happen to have a share in a ship?—From what we knew of the rest, we considered it was not likely that they would be shareholders in ships.

3326. I suppose there are a great many people who make an investment of money in a share or two of a ship?—Yes.

3327. You did not include them in your list of shipowners?—In that 14 we did, so far as we knew.

Mr. *Bates.*

3328. What inquiry did you make after you saw Dr. Cummins' evidence?—I made inquiries from shipowners and from a magistrate; a merchant and shipowner in Liverpool, who is conversant with most shipowners, and the large companies.

3329. And of course, if you go to the Custom House, you can always find whether a man, whoever he is, is part owner of a ship or not; can you not?—Yes.

3330. Then what you mean to say is this, that you think that one-fifth of the lay magistrates in Liverpool are shipowners, or part shipowners, and in that way interested in shipping?—Yes.

3331. You do not mean to include people who supply things to ships, or anything of that kind?—No.

3332. Those gentlemen would not be magistrates, I think?—No.

3333. Do you know how many sailors' lodging-houses there are in Liverpool?—I should think there are from 80 to 100 whose business solely is to take in sailors, but there are about 300 who are in the habit of taking in sailors, including beerhouse keepers and others; and so the difficulty is oftentimes very great to find the men, as you have to go to such a number of houses.

3334. If every man who lodged a sailor was licensed, do not you think it would be a very good thing?—I think so. I think it would tend to diminish them very much indeed, and improve them too. If they were under the surveillance of the police and were licensed, it would tend very considerably to improve the character of the houses and of the men themselves.

3335. During the long period of years you have been in Liverpool, you must have had some opportunity of forming an opinion about the advance notes; will you tell the Committee what you think of advance notes; can the sailors generally do without the advance notes?—I am quite certain they cannot under present circumstances, and how these circumstances are to be altered, I cannot imagine. There are perhaps 240 sailors in the Sailors' Home to-day, and I should think that quite two-thirds of them would not be able to go to sea at all, unless they had advance notes.

Mr. *Bates*—continued.

3336. Even the people in your Sailors' Home?—Yes, because they owe the Sailors' Home money for board and lodging, and they would want clothing, and they generally want a little money in their pockets; I cannot at all see how they can be done away with, but the men are becoming more provident, and more sober year by year; there has been a great improvement in them lately, and then there is the case of shipwrecked sailors. A great number of shipwrecked sailors came to Liverpool to our Sailors' Home last year, and these men would require an advance, otherwise they could not pay their way.

3337. Had they any money when they came?—None whatever. Some of them had a few articles of clothing, but the rest, I think, would have nothing whatever except the clothes they stood upright in.

Chairman.

3338. Is there no society that deals with cases of that sort?—The Shipwrecked Mariners' Society; but that deals with those men that subscribe 3 *s.* a year to it; they get a kit according to the number of years they have been in the society, but I am sorry to say comparatively few avail themselves of that society. That society gives me the opportunity of sending them to their homes in the country, even men who do not belong to the society.

Mr. *Bates.*

3339. These distressed men?—The shipwrecked men. I can send them home though they may not belong to the society as members; but when they get to the end of their journey they get nothing, whereas the members get an outfit.

3340. I am now talking about distressed seamen from abroad?—Consuls' men, as a rule, are utterly unprovided for.

3341. Suppose you do not take them into the Sailors' Home, what must become of them?—They would have to go to the workhouse or wander the streets.

3342. You take them in?—Yes.

3343. On the strength of their getting an advance note to repay you?—Just so.

3344. And unless they got that advance note you would not take them in?—Only a very few of them. We could not take in the majority of them.

3345. Are advances generally given by shipowners in Liverpool?—Very generally indeed.

3346. We have heard a great deal about the steam lines; do they give advance notes?—They do when they are hard pressed for men, but as a rule they are not hard pressed. Those are the Atlantic boats. The Mediterranean and South boats give advance notes, but the Atlantic boats as a rule do not, because the men are generally married men and live adjacent to the docks, and do not require them.

3347. Still, you say they are sometimes pushed and obliged to give them?—When trade is brisk and seamen are comparatively few, which is not the case now, they have sometimes to give advance notes for substitutes or for seamen who cannot ship without advance notes, but as a rule they do not.

3348. Are men belonging to those boats ever missing at the time of sailing?—Yes.

3349. These

Mr. *Bates*—continued.

3349. These men sometimes get a little too much and fail to join?—Yes.

3350. And then you have to put them on board in the same way?—Yes.

3351. Have you any other remark to make to the Committee?—I am often greatly troubled to know what to do with these distressed men, and especially when they are in delicate health, and it is pretty clear they cannot be shipped because of their health for a month or six weeks or longer. They dislike very much to be sent to the workhouse hospitals, or to the workhouse, and it goes very much against my feelings to send them there, and some of them will not go there but wander about the streets. I should like to recommend that some power be given to the Mercantile Marine superintendent, or chief officer in each town to send them to their homes, and not that it should be considered that Government had done with them as soon as they land at any port in the United Kingdom. I have made an average of the cost to the Shipwrecked Mariners' Society for sending them home. It is about 5*s*. a head. That is so small an amount, and it is so great a boon, that I think they should not be considered at home till they have reached their abode.

3352. You mean the Government sends them from India to England, and you think Government ought to send them home?—Yes.

3353. Is there any other point?—Not that strikes me just now.

3354. We have heard it stated here that advance notes are not stamped; is that the fact?—They are; I have got one here (*handing it to the honourable Member for Chatham*).

3355. Always?—Always.

Mr. *Burt*.

3356. I understood you to say that in your opinion desertions would considerably increase if this power of arrest and imprisonment were abolished; was I correct in that?—Yes.

3357. On what do you found that opinion?—Because when the men become conscious that in all probability they will be arrested and sent to prison, they are very anxious indeed to get away to their ships.

3358. Are you aware that the same objection was raised by mine owners, and factory owners, and others, against the abolition of the power of imprisonment for ordinary breaches of contract some years ago?—No, I am not, but I hardly think the case is analogous. You can get a man on shore, but you cannot get at sailors; as a rule if they desert his ship to-day he will be off to-morrow, if he can get as we term a pier-head jump, or he will be off to another town. As a sailor he has no home, and his kit is not worth much. I cannot trace him.

3359. I am glad to hear you state that according to your experience the men are becoming more provident and sober year by year; I should like to ask you if you do not think the abolition of the advance note and the abolition of the power of arrest and imprisonment, placing seamen on the same footing as other classes of workmen, would tend very much to encourage habits of providence and sobriety, so far as the seamen are concerned?—No, I do not think that a good seaman cares at all for that power of arrest.

3360. We are dealing now with those that are not the best class of seamen, those who habitually get drunk, and the question I wish to ask is, if you do not think that the advance-note system in itself has a demoralising tendency, and tends very much to encourage that habitual drunkenness which we all deplore?—I do not think it has a tendency to encourage drunkenness to any extent, because, as a rule, the men are most intemperate when they come into the port and have plenty of money in their pockets; they are very much less intemperate when they are going out.

Mr. *Burt*—continued.

3361. I understand you to say that you would not take the men into the Sailors' Home unless you had some prospect of being reimbursed by the advance note, or the money that they got from the advance note; is that so?—Yes; a large proportion of the men that we have now in the Sailors' Home are men who have come from other ports, and when they arrive from other parts of the country, they, as a rule, have no money in their pockets, and they come with their clothes and their "V. G." discharge, and upon those two things we take them into our home and look for reimbursement to the advance note.

3362. Is the Sailors' Home an ordinary commercial undertaking, or is its leading object to benefit the seaman, or help him when he is in difficulties?—It is an institution erected for philanthropic purposes mainly, not to benefit any individuals. The persons who built it were merchants and shipowners of Liverpool, and they built it entirely for the benefit of the sailors; they derive no profit whatever from it.

3363. It struck me as being somewhat peculiar, when you said unless you had a prospect of reimbursing yourselves by the advance note, you would not help a seaman when he was in difficulties?—If I said that, I will modify it; we cannot help all, but we should still help some; we cannot help a very considerable number of them; if we did, we should soon have to close the institution.

Mr. *Wilson*.

3364. How many men have you generally in the Sailors' Home?—An average of 250.

3365. Does it pay its way?—Yes.

3366. You would not take destitute men in, unless you could reimburse yourself by the advance note?—No, not as a rule.

3367. Are you speaking from actual knowledge, when you say these Atlantic steamers do not give advance notes?—Yes.

3368. You are quite sure of that?—Yes.

3369. And the Mediterranean steamers too?—No; the Mediterranean steamers do.

3370. But some of those Atlantic steamers are back again at Liverpool in about a month, the fast boats?—Four or five weeks; they make a very short voyage.

3371. Do you go among the seamen and know what their feelings are; have they had any special feeling about this proposed legislation?—No, not the seamen themselves.

3372. Do you hear any complaints of the present state of the law; is there any agitation amongst the seamen?—None whatever; I never hear of complaints.

3373. Do they feel that they are suffering from any grievance?—No, generally they do not; very seldom indeed do I hear any complaint about the present state of the law; and when they go before the magistrates they do not plead any hardship.

Mr. *Hanmer*.

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Mr. *Wilson*—continued.

3374. When these men are sent on board or *shoved on board*, when they are in a state of drunkenness or incapacitated from knowing what they ought to do, when they come back again, do you hear any complaints made about their having been forcibly put on board ships?—No; as a rule, they are very glad that they have been forcibly put on board.

3375. Have you known any cases of complaint of their treatment in being put on board?—I cannot recollect a single instance.

3376. If they have any just ground of complaint, do you know whether they could take action before the magistrates?—I do not know.

3377. You say it would be a good thing to license the keepers of sailors' boarding houses, but is it not a fact that a great number of men who go to sea have never been to sea before?—Yes.

3378. That would break down the system, would it not?—I should think so, completely.

3379. At least, it would be a very great difficulty in the way of the system?—A very great difficulty. Two men came to the Home about six weeks ago, and on talking to them I discovered they were not sailors. I asked them how it was, and they said a certain man named Beer had found them wandering about in the streets, and said, "What are you doing, my men?" They said, "We came here to seek work." "Will you go to sea?" "Yes," they said, and he supplied them with discharges, which he picked up or bought. So I handed these men over to Mr. Jenkins, who had the boarding-house master prosecuted. This man has been in gaol two or three times over, for six months at a time, fordoing the same thing.

3380. Do you have any applications from sailors who are travelling about the country to try and get a ship, and who ask for assistance to get to a port, but whose means fail them before they get there? Suppose a sailor cannot get a ship at Newcastle, and he is trying to get to Liverpool, and all his means are exhausted before he gets there, do you ever have applications from men in that position?—Oh, yes. We take them in sometimes. We find as a rule they have got a few things at the place where they started, and if they are decent men, especially if we have known them before, we take them in and send for their things.

3381. Men, perhaps, who have a discharge with "V. G." on it?—Yes; but if they have a bad discharge we have nothing to do with them.

3382. It would be very difficult for those men to get to sea without the advance-note system?—They would not get to sea at all without an advance note.

3383. Would not that tend very much to draw those men into other employ, as dockyard labourers, &c., instead of going to sea?—They must pick up something of that kind.

3384. Or go to the workhouse?—Yes; a great many of them go to the workhouse sheds night after night, and become just strolling vagabonds.

3385. They get from bad to worse?—Yes.

3386. And the present system of advance notes enables that class of men to be got to sea?—Yes.

3387. Something was said about the drunkenness of those men and their spendthrift habits, but is that the result of the advance note, or is it the result of their being laid hold of by the touts for the public-houses, &c., when they arrive with money in their pockets; when does the evil arise, when they arrive with money in their pockets, or is it the result of advance notes?—I think we must not shut our eyes to the fact that our sailors, after all, are the looser members of our families, and sending them to sea does not make them better, as a rule; and when they come back their thoughtless habits are still with them, and they begin to spend money as soon as they arrive, and in a very short time after they are paid off unfortunately they have no money.

3388. They go from the extreme of intemperance and strict discipline to the opposite to a very great extent?—To a great extent.

3389. Of course there are exceptions?—Yes, many. We took 51,000 *l.* from sailors last year.

3390. I was going to ask if your Home does not afford to provident sailors a means of taking care of their money?—Yes; and the provisions of the Mercantile Marine Act, with its savings banks, &c., and our backing that up by our temporary bank, all tend to improve them, and there is no doubt about it that they are improving.

3391. Is there room for another institution besides yours?—We are building another, and hope to open it in June.

3392. I understood you to say, from your personal experience, the men are now improving and becoming more provident?—Yes, more provident than they used to be; they are nothing like so drunken as they used to be.

3393. The great difficulty really is preventing these men wasting their money in drink?—That is the great difficulty, but it is a difficulty which, I am happy to say, is lessening; I do not know whether the improvement will continue; I hope it will.

3394. This charge of 5 per cent. for cashing notes is less than the men would have to pay, as a rule, if they did not come to your Home; they are exposed to much larger discount outside?—Yes.

3395. Do you know to what extent?—I should think the average would be about 12½ per cent. outside the home; it varies from 5 to 15 or 20 per cent.

3396. And the 5 per cent., I understood you to say, would not cover your losses unless you availed yourselves of the power you have of getting another advance note, and sending a deserter, or a man who neglected to join his ship, to another ship?—That is so.

3397. I understand some of the Liverpool companies ship their men on board?—The large Atlantic companies; the Inman, the White Star, and the Cunard.

3398. Is that done at any other port than Liverpool?—I am not aware of it; I hardly think it is.

3399. Why have they that privilege?—It is a privilege they sought and got from the Board of Trade.

Chairman.] It is no privilege, everybody can ask for it.

Mr. *Gorst.*

3400-1. What is the amount of these advance notes generally?—Do you mean an average?

3402. Yes?—From 1 *l.* to 8 *l.*; the 8 *l.* note will be the officer's note; the 1 *l.* will be the ordinary seaman's, or the boy's note; then the able-bodied

Mr. *Gorst*—continued.

able-bodied seaman's used to be about 3 *l.* on an average, but it is less now, unfortunately, through the depression of trade.

3403. Do you put this penny stamp upon all alike?—Yes.

3404. Have you ever been advised as to whether it is a legal stamp or not?—No; it has been in use for the last 15 years.

3405. You never knew of the legality of the stamp being tested?—No.

3406. You talked about shipping men with false discharges; I suppose a competent master could always tell, if he took the trouble, whether a man was a seaman or not?—Yes, if he had *time* and opportunity when a man goes on board, but as a rule they are in great haste, not to say confusion, immediately before sailing.

3407. Do not you think that if the men made their contract with the master of the ship on board the ship itself, they would be more likely to detect sham seamen?—Yes.

3408. I suppose the shipping office is a very crowded place?—Yes, generally it is, but these men who ship on board are, as a rule, substitutes, and are put on board at the last moment.

3409. But I am speaking of a shipping office; when men are being shipped at a shipping office it is always a scene of confusion?—I can hardly say a scene of confusion.

3410. Is there any time for the master to make such inquiries as would enable him to detect a sham seaman?—The master or mate generally ask them some questions and look at them; those that are shipped in the shipping office are generally good seamen.

3411. The sham seamen you say ship at the last moment?—Yes.

3412. But even then they could be detected by half-a-dozen questions?—Yes; but the captain and the mate have their hands full at that time, and they will not take the trouble. They take it for granted that if a man presents an A. B. discharge he is a seaman of some kind or other.

3413. Do you really mean to tell the Committee that out of a number of gentlemen in Liverpool only one in five is interested in shipping?—That is my impression.

3414. Take a number of gentlemen in Liverpool at random; take the lay magistrates; do you mean that only one in five is interested in ships?—That is what I think.

3415. What do you suppose the four-fifths are interested in?—A good many of the four-fifths are independent gentlemen; gentlemen of means, not in business at all; and others are merchants.

3416. Would not you that merchants were interested in ships?—They are indirectly, but so interested that it would have no effect upon them as magistrates.

Mr. *Macdonald.*

3417. I wish to take you back to this question of the Liverpool magistracy; you seem to be very strong in your opinion from the manner in which you answered the honourable Member for Plymouth and the honourable Member for Chatham; have you any means of knowing that these magistrates may not, every one of them, be connected with shipping, with the exception of the gentleman who sat in the chair recently; do you know their private affairs that you speak so confidently on the matter?—I give it as my

Mr. *Macdonald*—continued.

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opinion simply, because I do know much of the magistrates and shipowners of Liverpool. From having been superintendent of the Sailor's Home for 28 years, I am brought intimately into connection with them.

3418. But have you any means of knowing who is and who is not connected with shipping, except those that are ostensibly large shipowners; may not everyone of the magistrates, so far as you know personally, with the exception of Mr. Raffles, who sat in the chair a little while ago, be more or less connected with the shipping interest?—They may, but I think I mentioned that when I saw that evidence by Dr. Cummins, I went to see a gentleman who is both a shipowner and a magistrate, and has been in business many years in Liverpool. We conferred together for a considerable time, and we came to the conclusion that about one-fifth only were shipowners directly or indirectly.

3419. But you had really no knowledge of their private business affairs?—No.

3420. Are you aware that a large number of the magistrates are more or less connected with firms that supply stores to ships?—I do not know of any, and I should think there are very few indeed if any.

3421. You say only one-fifth of the magistrates are connected with shipping, and you know of none that are connected with supplying stores to ships?—None strike me at present, and I do not think there are any.

3422. In answer to the honourable Member for Plymouth, you stated that the law allowing seamen to be laid hold of and put on board a ship had lessened the number of deserters, or the number of those who refused to join their ships; did not that law also give the power of arresting without warrant?—The law as it now exists.

3423. Yes?—Yes.

3424. So that there is a great deal more in the law as it now is, than taking the seaman and putting him on board the ship; you can arrest him without a warrant?—Yes.

3425. Five persons can arrest him without warrant?—Yes, I believe so.

3426. The master, the mate, the owner, the ship's husband, or the consignee, either one or other of them, may have the seaman arrested without a warrant; is not that so?—They can put the law in motion if they choose to do so; they can draw the attention of the out-door officer of the Sailors' Home to it.

3427. Do you see any reason why this power should be conferred upon owners of ships more than on owners of factories, owners of engineers' shops, or owners of large railways; do you see any reason in equity why this should be?—The manufacturer, or whatever else he is, on shore, would in all probability lose nothing at all by it, whereas a shipowner would lose considerably by it. There is all the difference in the world between a manufactory on land and a ship at sea, inasmuch as if the manufacturer wanted his men he could get them readily; they are at hand, and the manufactory does not move away; whereas the ship goes away to sea perhaps short-handed, and seamen are not so plentiful, as a rule, as they are now, through the depression of trade, and they cannot be got hold of.

3428. Then you think there ought to be a criminal power placed in the hands of shipowners to enable them to get their workmen, or their sea-

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Mr. *Macdonald*—continued.

men, as against all other members of the community?—I do.

3429. Is not the great necessity of this power of arrest founded on the advance note?—No, I do not see it at all.

3430. You would have power to arrest the seamen, supposing there was no advance note given?—Yes.

3431. You would have power to arrest him by five different persons as the law now stands. If he failed to keep his contract you would have him treated as a criminal, even supposing he had no money advanced?—Yes.

3432. Then as you would ask that the seaman should be treated as a criminal for his breach of contract, do you think the employer, the owner, or the captain, if he makes a breach of contract with the seaman, should be treated as a criminal as well?—No.

3433. You think that there should be criminal treatment for the seamen, and purely civil treatment for the employer?—Yes, because the employer is always to be reached, and the sailor is not.

3434. How is the sailor not to be reached?—These deserters whom the law more particularly takes effect upon, as a rule, give wrong addresses, and they are men without any means, and you cannot get at them.

3435. Then because he is poor, you will make him criminal?—Not exactly because he is poor, but because he is doing an act of injustice.

3436. Because he has not a thousand pounds and a residence well known, or 20 *l.*, the terms of his contract, you will make him a criminal, while the person on the other side of the contract should be treated purely as a civil offender?—I would make him a criminal because of the injury he does. He detains a ship and a crew, and very serious results may ensue in consequence of that.

3437. But how do you know serious results may ensue?—I have known a ship detained a couple of tides or three tides, or more, when she could have got away to sea, and then easterly winds have come on, and she has not been able to get away for four or five weeks; and I have known storms come on and ruin the ships, which would not have happened if they could have got out of the Channel earlier.

3438. But is it not the fact that the entire trading and working community is not subject to these criminal proceedings, and is there any reason why the seamen should be so treated other than that of the advance note?—I think the cases are not analogous; the land and sea services are wholly different. In the one case you can get at the man, at his goods or at his person, and in the other case you can get at neither.

3439. Do you mean to tell me that the whole of these persons employed on shore have goods?—More or less they have, at least according to my knowledge; it is limited.

3440. Do you mean to tell me these millions of people who are employed in factories have all goods that can be laid hold of?—If they have not they can be traced as a rule on land.

3441. Why cannot you trace out the seamen?—Because he gives a wrong address for one reason, and the other reason is, if he can get, what we term at Liverpool, a pier-head jump the next tide, he will take it and be gone.

3442. With regard to the contract, you said

Mr. *Macdonald*—continued.

pretty clearly you would make it criminal for the seamen and not for the employer?—In the interest of the seamen.

3443. Then you think it is to his interest and benefit that he may be apprehended for a breach of contract, and dragged through the streets handcuffed?—I never knew it done.

3444. You never knew such a case?—No.

3445. Not in Liverpool?—No. I have known men to be taken, but they generally go quietly. I have never seen a man roughly taken to gaol.

3446. Have you seen many arrests?—Yes.

3447. Of sober men?—Yes.

3448. It is a part of the contract with the seamen that he should be supplied with good and sufficient food; is not it so?—Yes.

3449. If he is not supplied with good and sufficient food, what is the mode of treating the shipowner?—He can claim double or treble wages, I think it is, for every day that he has this insufficient food.

3450. Do you think, if a shipowner sends his ship to sea with bad or insufficient food, that he ought not to be tried criminally for such an act as well as the seaman for deserting from his ship?—If the shipowner has done it knowingly, I should certainly say let him be punished criminally.

3451. If he has purchased food at half or quarter value, would he not know that it was not good?—As a rule, yes.

3452. If he sent his ship to sea without a sufficient quantity of vegetables and other provisions of a nature to maintain the health of the seamen on a long voyage, would you have any objection to have the law altered so that the shipowner shall be tried criminally?—I think he ought to be tried criminally in that case.

3453. And would you give the same power to arrest without warrant in a case that was *primâ facie* bad against the shipowner that puts bad food on board for his seamen?—I hardly know how to answer that question at the moment.

3454. Of course it resolves itself into this: if it is proper for a seaman to be arrested without warrant for a breach of his contract when engaged to the ship, do you not think it is equally proper where there is any breach of contract by reason of bad food being provided, the owner of the ship or the captain should be arrested without warrant, and treated as a criminal, equally with the seamen for making a breach, when that breach is against the health of the seamen?—In the one case little loss of property is involved, and in the other there is very considerable loss of property involved.

3455. Is the seaman's life not involved?—Yes.

3456. Is not that his all?—Yes; and I have said before if a shipowner does such thing designingly, knowingly, he should be proceeded against criminally.

3457. So that it is your opinion that if there is to be any alteration made in the law, the seaman, at least, should be protected as regards his food?—Yes.

3458. More strongly than now?—I very seldom hear complaints. Years ago I used to hear complaints, but very seldom now. I am very happy to be able to say I hear of no cases of bad or short provisions.

3459. How long is it since you have not heard of these reports?—A couple of years perhaps.

3460. Not

Mr. *Macdonald*—continued.

3460. Not more recently than that, in the port of Liverpool?—I think not; I do not recollect any; that matter has so greatly improved of recent years, that there is very much less complaint than there used to be.

3461. You say the seaman has not grievances? —Very few indeed now.

3462. And you say further, that he is pleased when he is put on board by the crimp, or any other person?—Yes.

Chairman.

3463. I understood you to say a man could not get more than one advance note cashed; what is to prevent a man getting an advance note cashed; absconding, and getting another advance note elsewhere?—If you ask me that question, I do not understand it; the man may get two notes cashed, but the person who cashes it will only get one paid.

3464. You said you thought the justices deal leniently with sailors; you mean to say in a criminal way, however leniently, still by law they must deal with him criminally if he is a defaulter. The magistrate has no object but to deal with him criminally?—No.

3465. Did I understand you to say the seamen do not mind criminal treatment?—I hardly said that, I think.

Mr. *Bates.*

3466. You said, which I suppose the Chairman means, that the sailors do not object to be put on board after they have signed articles, when they are perhaps a little tipsy; they rather thank you afterwards for doing it?—Yes; as a rule they do.

Mr. *Gorst.*] I think the witness went a great deal further than that.

Chairman.

3467-8. I thought there was an inconsistency between one answer you gave, that seamen do not mind being treated criminally, and the other answer that you gave, that criminal treatment was the only terror to a seaman, by which he can be got on board?—That is so. What I said, or meant to say, was this; that when he is treated criminally, as a rule, he does not grumble at it; he takes it naturally.

3469. And yet it is the only terror by which he can be got on board. You think if the criminal treatment was done away with masters could not get their crews on board?—They would have very great difficulty indeed. I do not see how else they can do it.

3470. Is not that rather inconsistent with the view that they care so little for imprisonment, that if imprisonment was done away with, the masters could not get their crews on board?—I think they care a great deal. I do not think they like to be degraded by imprisonment; but having degraded themselves by deserting, they take their punishment meekly, and say very little about it.

3471. Then you think they are degraded by imprisonment?—I think so.

3472. And to get a young seaman to prison is, perhaps, to demoralise him for his whole life?—It has a tendency in that direction.

Mr. *Gorst.*

3473. Are you aware that a great number of fisher boys are imprisoned in Lincoln, and on the east coast of England?—No.

3474. Lads apprenticed to fishermen are sent wholesale to gaol; do you think that a good system?—I did not think it applied to fisher boys.

3475. If fisher boys were sent to gaol, do you consider it would degrade them, and be likely to influence their character in after life?—Yes.

Chairman.

3476. Anything that gets seamen, particularly young seamen, into gaol; is an injury to the sea service, is it not, by demoralising the class of seamen?—I think those who go to gaol are already demoralised; they have been there before, as a rule. You see you have about 3,000 persons deserting, and out of the 3,000 only 180 are sent to prison.

3477. A man at his first imprisonment cannot have been imprisoned before, can he; therefore, the first imprisonment, so far as it goes, is a damage to the sea service by demoralising that man, and degrading him in his own self-esteem?—I think that imprisonment must always have that effect upon all classes of society.

3478. If by any possibility seamen could be got on board without imprisonment, would it not be a very great advantage to the sea service?—Yes.

3479. It must, therefore, be shown that there was some paramount necessity for criminal treatment to justify it, either as a matter of expediency, or a matter of justice. If civil proceedings would bring men on board, they would at all events have an enormous advantage over criminal proceedings, because they would not demoralise the men?—Yes; but civil proceedings in the case of a sailor would be very different to civil proceedings in the case of a man on shore.

3480. I am talking of seamen on shore only, not after they have joined?—I do not know how you are to reach them by civil proceedings; however, I admit, as you say, it would be better if they could be got on board without criminal proceedings.

3481. You do not see how it could be done?—I do not see how it could be done.

3482. Because of the difficulty of finding the men upon whom those proceedings might be taken?—Yes; and because of their unfortunate predilection for drink.

3483. I suppose the predilection for drink is not so much the cause of their demoralisation as the result, or quite as much?—I should think in nine cases out of ten it would be the cause.

3484. You stated one reason why the case of the seaman was not analagous to that of workmen on shore was, that his desertion occasioned much injury to property?—Yes.

3485. Cannot you conceive that a workman on shore breaking his engagement may cause much injury to property?—Hardly, unless he is an engineer, and has the superintendence of the engine of a factory or something of that kind, and then they would generally have somebody to take his place. If a ship goes short-handed to sea she is in danger the whole time or very nearly so.

3486. What is the largest sum of money that a seaman has had in his pocket on coming into your Sailors' Home?—I have known them to come in with 700*l.*; that was in years gone by

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Chairman—continued.

when there was the rush to the Australian and Californian gold fields.

3487. What is the largest sum with which men have come to your Sailors' Home in the last few years?—About 70 *l.*

3488. That man would not want an advance note?—That man in all probability must have been on a very long voyage, a trading voyage perhaps in the Chinese Seas; and when he comes home, having been away four or five years he will want a long holiday on shore.

3489. Have you ever known a man arriving in port with 70 *l.* in his pocket being cleaned out the first night?—Years ago, not recently.

3490. But still you have known them to lose very large sums within a very short space of time after arriving?—Yes; and consequently protection should be given to the sailor on his arrival. The crimps meet him on the deck, they chase him through the town, and never rest till they get his money from him. Protection should be given when the man comes in.

Mr. *Wilson.*

3491. Do these men always go by the same name?—Oh, no.

3492. It is a common thing for them hardly to know what their name is?—Very common.

3493. Is it at all an uncommon thing for a man if he is asked his name to say, "Well, I was so and so last voyage; I am so and so this voyage"?—That often happens.

3494. So that at last they hardly know their own names?—Sometimes that is the case.

3495. Is that the great difficulty of getting hold of these men, especially as you describe them as pier head jumpers, who get on board of a ship the next morning or in the middle of the night?—Yes.

3496. Then civil proceedings without some means of detaining those men are simply impossible?—Quite impossible.

3497. You do not see any way of getting hold of them except by this summary arrest?—No way whatever.

3498. If you were to lock them up in the Sailors' Home, it would be an arrest, or very much the same thing?—We could not do it.

Chairman.

3499. Are not a vast number of defaulters got on board ship without any arrest more or less forcibly by runners?—Yes.

Mr. *Bates.*

3500. That is the general mode of getting them on board?—Yes.

3501. You never arrest them by warrant or anything of that kind?—Never.

3502. And seldom employ a policeman?—No; a policeman never touches them till they have actually deserted.

Mr. *Wilson.*

3503. As far as I understand, you are as much in favour of doing away with arrest as anybody else if you saw any means of getting hold of them amenable to civil proceedings?—Yes.

3504. But your experience shows you the great difficulty?—I do not see how to get over the difficulty.

Chairman.

3505. What is the difficulty besides the difficulty of finding where a man is?—We should

Chairman—continued.

proceed, I suppose, if it was a civil action by a summons; if he did not attend to that summons, am I not right in supposing a warrant would be issued against his goods?

3506. What difficulty would there be?—The sailor would have, as a rule, no goods, and the landsman would, as a rule, and you could proceed against the landsman, whereas you could not against the sailor, I apprehend; you could not take the man himself on the warrant.

3507. Is it not the case that defaulters are generally got on board by the master through the agency of shipping-office runners?—Yes.

3508. And the only case where arrest without warrant is used, is where the ship having sailed, the agent of the ship wants to bring the man up before the magistrate?—Yes.

3509. What is the necessity of such an arrest as that being without warrant, except, as you say, the difficulty of finding where the man lives?—I do not think you would get hold of the man at all.

3510. If the man is to be found, there would be no reason for the arrest without warrant?—At present if the man is seen within the next quarter of an hour, or hour, you can take him up, whereas if you had to go to a magistrate to take out a summons, by that time he would be off.

Mr. *Wilson.*

3511. In proportion to the number of men, are there fewer deserters, or men failing to join the ship from your Home than from the general boarding-houses?—No doubt.

3512. But have you still men from your Home arrested without warrant?—Yes, we do not give any notice whatever. If a man deserts his ship, the Sailors' Home proper authorities do not give any notice.

Mr. *Bates.*

3513. You mean if a man does not join?—We give no notice; we leave the shipowner to order his arrest or not; we give no notice; it is not to our interest to do so.

Mr. *Macdonald.*

3514. Have you runners that will put seamen on board as the ordinary boarding-houses have?—Yes.

3515. There are runners attached to the Sailors' Home?—There are runners attached to the Sailors' Home.

3516. Do you follow the practice of making the men drunk, as the others do?—I do not think anybody follows the practice of making the men drunk.

3517. We have had it stated here by [illegible] men of the very highest experience, that they are put on board by hundreds drunk, and we have had it stated by Mr. Duncan and others of the highest experience?—I object to the question being put in that way.

Chairman.

3518. Do you know any cases in which they are put on board by runners in a state of drunkenness?—Either from the Home or the lodging-houses they are put on board drunk if they cannot be had sober, but the Sailors' Home authorities do not make them drunk, and the lodging-houses masters do not make them drunk. Men are very much more easily got on board sober than drunk. I believe it is to the advantage

Chairman—continued.

tage of the crimps and the lodging-houses to keep the men sober on the last day, to get them on board.

Mr. *Macdonald.*

3519. Then they are not put on board drunk in Liverpool?—They are, unfortunately, but not nearly so often as they used to be.

Mr. *Bates.*

3520. You say your people put these men on board; do the wives of these men ever complain about their having done so?—Never.

3521. Do they ever thank you for having done it?—I cannot recollect having been thanked, but they never grumble. They are always very glad that their husbands are got off without being sent to gaol.

3522. I believe you have some institution where you remit money for sailors, to their homes?—Yes; the Mercantile Marine Offices have a system of money orders, so that the sailors can send money to any part without any charge whatever. At the Sailors' Home we get the men together, and gather up a lot of orders, take them into the Mercantile Marine Offices, and send the money through them.

3523. The crimps do not get that money?—No; less and less every year. The men are intercepted first by Mercantile Marine officers, who try to persuade them to go into the Mercantile Marine Bank to deposit their money or send it to their families and friends in money orders, and an effort is also made to intercept them at the Sailors' Home; and when several ships are being paid off, the Sailors' Home and the Mercantile Marine offices are crowded with men for the purpose of depositing their money.

Mr. *Bates*—continued.

3524. They keep a little themselves?—Yes.

3525. If you discount one of those advance notes and the man goes to sea, can you not compel the shipowner to pay, if it is necessary?—Yes, we always do so.

3526. If necessary?—If necessary.

3527. You have not many cases of that nature?—Not one in three years.

3528. But still if a man performs his contract, you can compel the shipowners, or the ship's husband, or whoever he may be, to pay that order?—Always.

3529. Do not sailors very often go to the ships and ask the captains to take them?—Yes.

3530. And the captain takes the discharge note and says, "Come on such and such a day"?—Yes, and then the captain comes to the Home and calls their names out in the waiting-room.

Chairman.

3531. Do the seamen often go and examine the ship before they engage?—I do not know that they examine her; they go to her and see the captain. I think, as a rule, sailors can form pretty good notions of a ship.

Mr. *Macdonald.*

3532. You compel the advance note to be paid by civil proceedings, not by criminal proceedings?—By civil proceedings.

Friday, 29th March 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Sir George Elliot.
Mr. Ashley.	Mr. Gorst.
Mr. Bates.	Mr. Macdonald.
Mr. Burt.	Mr. Rodwell.
Mr. Corry.	Mr. Torr.
Mr. Dalrymple.	Mr. Charles Wilson.

THE RIGHT HONOURABLE SIR C. B. ADDERLEY, K.C.M.G., IN THE CHAIR.

The Rev. ROBERT BUCKLEY BOYER, called in; and Examined.

Rev *R. B. Boyer.*

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Chairman.

3533. WILL you state what you are?—The Superintendent of the "Missions to Seamen."

3534. Do you reside at Portishead, near Clevedon?—Yes.

3535. How many years have you been in the habit of visiting the seaports and roadsteads of England?—Fifteen years.

3536. Which seaports in particular?—Cardiff and Bristol more particularly.

3537. What do you wish particularly to say to us with regard to the practices of seamen, both going out to sea and returning to port?—There are some exceptions to the general remarks I am about to make in reference to seamen going to sea and returning to port; the exceptions are few, but very important. I would rather notice them first. Some shipmasters are so well known for their good character, and kind and just treatment of sailors, that they are often able to take to sea men as sober as we are, and on arrival back their crews will avoid the snares and temptations other men fall into. In the same manner, there are some firms of shipowners who have adopted such careful regulations, and made their ships so comfortable, and shown such decided preference to men of good habits, as to pay better wages to such, and have a higher class of men, and no doubt this pays in the long run. But I now go to the general character, where shipmasters are not men who particularly strive by example and influence to lead men right, and whose ships have no special attraction of better food and pay than others, and so get whatever they can. When I used to board ships myself in Penarth Roads, which is the roadstead for Cardiff, we considered 24 hours necessary for the crew to become sober before we could get the men to pay us proper attention through their drunkenness and debauch; the exceptions being where the captains were men of very high character, and the owners gave them permission to use such means as they saw fit to win good men to their employ; that is, good food, Sunday free from toil as far as possible, making men comfortable on board, and the captain keeping his temper and words in subjection. But it must not be supposed that it is only the sailor before the mast who goes to sea the worse for liquor. I have met captains in their cabins and officers the worse for it, and abroad I hear this is far worse than at home in captains. An experienced London pilot told me he dare not send men aloft in going out to sea; they must get away clear of the land on account of their insobriety. A captain told me he has left Port Cardiff with only the pilot and officers fit for duty, and gone right off to sea blowing a strong breeze. The wonder is that there is any safety at all in such cases.

Chairman—continued.

3538. You are speaking from your own knowledge and experience?—Yes.

3539. You are not in any case telling us things from hearsay, but from your own knowledge?—From my own knowledge. In bygone days magistrates have done their best to make sailors drunken, dissolute; bad men, by licensing public-houses alongside quays and docks. These poor men are trapped by the snares put in their way. Here I must again make exception. Where men at sea have been under wise and Christian treatment by their captain and officers, whole crews will sometimes give part of their earnings to some charitable object, keep sober, put savings in the bank, go home and about their business like reasonable beings. It greatly depends on the way of treatment at sea. Supposing, however, the captain and officers are much alike in mind and life to their men, driving them to their duty by oaths and such vulgar means, of course the sailors are ready for a spree, and self-indulgence, and everything is ready for them, men, women, and taverns, all offering a high premium to their passions. I have purposely been to see men paid off at their shipping offices. It is a horrid sight; sometimes women of the lower order lying in wait, and their low villainous bullies, I believe they are called, following them. I have traced a sailor to a public-house myself, taken away by one of these, and found him there in the midst of a number of lewd women and bad characters. By the kindly aid of a policeman I succeeded in rescuing him from their midst, and took him, sober and sensible, to the Sailors' Home, for which he thanked me most deeply.

3540. Is that at Cardiff?—At Bristol.

3541. Perhaps

Chairman—continued.

3541. Perhaps you will tell us a little more of your own knowledge of the crimping system, particularly at those ports that you are most conversant with?—It would be well for me to give a short history of crimping, what it was, and what it now is. When I first went to Cardiff and that part of the Bristol Channel, it was carried on to such an extent that no less than 20 or 30 men at one time would board a ship and take away the crew, their bags and baggage, and laugh at the captain and officers, and defy them. This I reported, and got evidence of very carefully, to the late Sir William Walker, and after considerable thought and care he appointed a most valuable body of police at Cardiff under a collector of customs, and they, with the aid of a lawyer to advise them, have carried on for a number of years a most excellent work in suppressing crimping at that port. I hoped to accomplish the same ends at Bristol, and asked the Board of Trade to appoint a policeman, a sworn constable, selected by the Marine Board, which was done, and this constable laid hold of one of the most vicious and wicked of the crimps, and the case was tried by the Bristol magistrates and dismissed. The Board of Trade took the case to the Queen's Bench, and it was dismissed there again. Since that I believe no cases of conviction have taken place either at Cardiff or Bristol. That is the reason why some change in the wording of the Act is absolutely essential for any further prosecution of crimps in the ports.

3542. What words do you propose to introduce into any clause in the Bill for that purpose?—We proposed, as advised by Lord Hatherley, to add the words "is arriving," after the word "arrive" in the first line of the 26th Clause of the Bill.

3543. What are the causes of the seamen refusing to go on a voyage when they come to anchor in a roadstead or get out of port?—When the drink is out of the man they are miserable and want more, and would give their lives for it. They hate the ship, the officers, and their work. This is the real cause of nine-tenths of all the refusals to go to sea. The captain and officers get angry and the men get sullen. I believe that drink and the public-house is the cause of most of these unhappy feuds between the officers and men. Their minds are defiled and polluted, and their bodies are physically unable of doing their duty.

3544. You think that is a general cause of men neglecting to join?—They do join, but when they have joined and come to a roadstead, or have been a few hours away at sea and so on, they neither very frequently, and say there is something [illegible] ship or something that they are dissatisfied with, and they oblige the captain to [illegible] to the nearest place for a policeman; the [illegible] are taken before a magistrate and there is a [illegible]

3545. That is a case of desertion in distinction from the case of neglecting to join?—[illegible]

3546. What should you say was the general [illegible] to join at the time of [illegible] as distinguished from desertion [illegible]—My experience is that they are made to join by the crimps themselves, and they have no choice at all. The difficulty is when they have joined to take them through the voyage.

Chairman—continued.

3547. The crimps, I suppose you mean, get them on board in order to make the advance notes they receive cashable?—Yes.

3548. Generally speaking, these advance notes are not cashable until three days after the man has joined?—Just so.

3549. Therefore a desertion within those three days would still leave the advance note uncashable?—Yes.

3550. Is not this the usual and ordinary case, that a seaman on going to sea gets an advance note from the master, and takes it to the crimp or outfitter to pay some debt; he rarely gets any cash himself, but it clears off his debt, generally at an enormous discount?—It is so.

3551. What should you say was the usual discount which a crimp or ordinary outfitter takes?—Usually I do not think the men get more than one-third the value.

3552. The crimp takes off 66 per cent?—Yes.

3553. I presume there is a double kind of cheating with the outfitter; he takes off a discount and puts an exorbitant price on the clothes besides?—Yes; the fact is the men are under the influence of drink at the time.

3554. And altogether between one mode of cheating and another the sailor does not get more than one-third the value of his advance note?—That is my opinion.

3555. What do you say are the general consequences of such a proceeding?—On the first chance the men leave duty, and are very soon placed in handcuffs; I have seen them oftentimes myself, because they are disgusted with themselves and with everything else.

3556. Do you mean they are put in handcuffs after they have joined?—In the roadstead, and so on.

3557. For what; for mutiny?—For refusing to do their duty, and for insult to their officers.

3558. Is it an invariable rule for all seamen to get advance notes?—No; I have known most respectable men go to sea and require none of them, and I have known most respectable captains who have told me they have had men in their employ who have never received any.

3559. Do many men take advance notes who really have got large sums of money in their pocket at the time?—I could not judge of that.

3560. You know the proceedings of various sailors' homes?—Yes.

3561. Do they cash advance notes for seamen?—Some few of them do.

3562. What sort of discount do they take?—I am not prepared to answer that question; I could not speak with certainty upon it.

3563. Do you think it would be a great advantage if, under the provisions of this Bill on the subject of payment of wages, seamen on arriving at port were enabled to get home immediately?—A great advantage.

3564. Can you state whether the account between a master and seaman could be so immediately settled on arrival that a seaman might be allowed to get off at once?—I believe they could be quite well.

3565. Have you any knowledge of the improved forms of account prepared by the Board of Trade, by which deductions can be made in the account which has been kept current during the voyage, so that the master can tear off a counterfoil on arrival, and give it to the seaman, and give him also a few shillings to

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Chairman—continued.

enable him to get home at once?—That would be an invaluable arrangement.

3566. Even supposing less time was given to the master to settle the account than three or five days, would not twenty-four hours be quite time enough for the crimps to get hold of the seamen?—Yes.

3567. Is not it a matter of the greatest possible importance to enable the seamen to get home at once?—The greatest importance.

3568. If it was possible in any way to make such an account, would it not be the greatest possible improvement to the seamen's condition? It would.

3569. Such an account would have entered into it all deductions during the voyage?—Yes.

3570. The only entries that would not appear in the account would be advance notes, and allotment notes, arranged during the seaman's service abroad?—Just so.

3571. And these would be deductions well known to the superintendent, and if by the clause which I am alluding to the superintendent was enabled to settle the account after the seaman had gone, he would know those remaining deductions had reference to the owner?—He would.

3572. Have you any suggestion to make as to improvements of the allotment-note system in the way of extending the existing Act, which makes the allotment note payable to a wife, sister, or relation, to make it further payable to the account of the seaman himself in a Government Savings Bank?—I should fully approve of the plan of making the account payable either to the savings bank, or to his family, whichever was suitable to him.

3573. Would it not be a very great advantage to a seaman, instead of having sometimes 70 *l.*, 80 *l.*, or 100 *l.* in his pocket, to be plundered by crimps on arrival, to find at least half that already secured for him in a savings bank?—A very great advantage.

3574. And would there not also be the advantage of the money bearing interest during the interval?—Yes, I consider that a very important improvement.

3575. Supposing that by the 4th clause of this Bill being passed seamen could no longer be treated criminally for neglecting to join, should you see any disadvantage in such change of law as would put a seaman, as long as he is on shore, on a par with ordinary workmen?—As seamen are now, some of them very bad, I do not doubt that it requires very summary and decided measures to require them to go to sea. At some future time, when they are improved, we may hope such decisive and severe measures may not be needed, but I fear at the present time that they may be necessary.

3576. Suppose Parliament should insist on seamen being treated in the same way as navvies, or any other loose kind of workmen, breaking their engagement to work, do you conceive that it would be impossible to get them to complete their engagement to join by other means than imprisoning them?—I believe a great change would be effected very shortly by the abolition of the advance notes, and by improved payment of their inward wages, and that after all it is possible such severe measures may not be needed. We now see them in their most degraded form, and, of course, as many of them are at present severe measures are necessary.

Chairman—continued.

3577. Might there not also be an improvement in the mode of payment of their outward wages, namely, by captains giving necessary outfits in charge of prospective wages?—That I should consider a much less evil than having to go to Jews and outfitters as they have now; I should recommend it in preference very much.

3578. Do you suppose it is always necessary that a seaman should have an advance of wages for his outfit?—Many seamen do not require it at all.

3579. The best seamen do not require it?—No, the men who are respectable and well-behaved and have a good chest of clothes, and everything of that kind, do not need advance notes.

3580. It is only those who have been cleaned out of their money in various ways who do require an advance?—Just so; the truth is, there are certain classes of seamen who on their arrival in port come every time under the hands of these wicked men and women.

3581. There may be some sailors who either have been shipwrecked or sent home as distressed seamen; they might be destitute of money and require an advance?—Quite so.

3582. Do you know anything of The Shipwrecked Mariners' Society as to meeting cases of that sort?—To those who have been a certain number of years members of the society they allow a certain sum of money towards that purpose; something like 6 *l.* or 8 *l.*

3583. Are there funds on such a scale that they may be said to meet generally such cases all over the kingdom?—The payment to sailors would have to be greater; there would have to be other means adopted to meet that thoroughly. It does not meet it sufficiently at present.

3584. Do sailors' homes ever meet cases of that sort by an advance?—Not to my knowledge.

3585. If criminal proceedings against the seaman for neglecting to join were done away with, and he was put on the same footing as any other workman, as long as he was on shore, there would be no means of punishing a man for breaking his engagement to join except by civil proceedings before the county court; now, in either case, whether criminal proceedings are taken against the man or civil proceedings are taken against him, neither would be taken until after the ship has sailed, because until the ship has sailed there would be still a hope of getting him on board?—The real truth is, practically in reference to that point, if a ship has sailed and obtained another man, no agents trouble themselves about it; if they can get the man and the ship has its complement and gets away, they won't take the trouble of putting the law in motion. All they want is to get a crew for the ship so that she may go to sea.

3586. Do you know of any cases of criminal proceedings having been taken against a man for not having joined before the ship has sailed?—There are such.

3587. Do you know of any?—I have not been personally acquainted with them; I have merely read of them.

3588. Do you know of many instances in which men have been sent to prison for neglecting to join?—Not for neglecting to join.

3589. Not

Chairman—continued.

3589. Not at Cardiff or Bristol?—Not personally. The cases I refer to all refer to mutinies in roadsteads where they deserted; but as regards the joining of the ships, as a rule the men are taken on board, and they have no option.

3590. Your experience is very extensive, 15 years as superintendent of the Missions for Seamen in various parts of England. Do you tell us that during those 15 years you never knew an instance of a seaman being criminally proceeded against for neglecting to join?—A case has not come across my knowledge for neglecting to join a ship when in port.

3591. As far as your experience goes there could be no terror in criminal proceedings which never took place?—I have not known the difficulty of getting them on board ship. I think at the present time they always go on board, and they would be taken on board according to the present way.

3592. Without the criminal proceedings you think they would be got on board?—I think so.

3593. What I wanted to bring you to was this: supposing the proceedings for not joining were civil proceedings, and that a man neglecting to join, instead of being brought up criminally, was proceeded against in a county court for breach of contract, and suppose costs were given against him, and he had nothing to pay with, and therefore went to prison, would not the terror of such civil proceedings be, at all events, quite equal to the present threatened criminal proceedings?—I think so.

3594. One would, in fact, be much the same as the other?—They would both end in imprisonment in almost every case.

3595. Therefore, as far as terror goes, one would be as good as the other?—If imprisonment is the end of it.

3596. Imprisonment always following, the man being unable to pay costs, if they are given against him?—Just so.

3597. Your own opinion is, that there is very little terror in criminal proceedings which never take place, and what terror there is would be just as great from civil proceedings?—Yes.

3598. As far as there is any use at all in these proceedings for punishing a man for breach of contract, or enabling captains to get their crews on board, there can be no use in what you must consider in itself an evil, getting young seamen to prison; do you consider that criminal proceedings against a class of workmen distinguished from proceedings against any other class of workmen, must be in themselves demoralising and degrading to the class against whom these exceptional proceedings are taken?—I think sending sailors to prison, unless it is absolutely necessary, is exceedingly degrading, and should be avoided if possible.

3599. Particularly in the case of young seamen?—Just so.

3600. Any system which leads to criminal proceedings being taken against the younger men entering upon an enterprise of sea-life must be damaging to that service in itself, and is a thing to be avoided, unless it is absolutely necessary?—Certainly.

3601. You said something about 24 hours before sailing; do you think anything that could lead to men joining their ships some hours before sailing would be an advantage?—A very great advantage.

Chairman—continued.

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3602. Do you think we could, by enactment, say that the time of agreement to join should generally be 24 hours before the intended time of sailing?—I am certain of the great advantage of such a course, if it is considered possible to accomplish it.

3603. And would not the only objection of shipowners or masters be to the additional 24 hours' wages so incurred?—It would not be the only difficulty, under the present circumstances. The difficulty would be the men's desire for drink and evil associations on shore.

3604. Would not the only objection on the part of shipowners and masters be to their incurring payment of 24 hours more wages?—It would be the only objection, as far as shipowners and masters are concerned.

3605. Have not frequently men who do join to wait, several days very often, before the ship sails, owing to the cargo not being on board?—No doubt it does arise sometimes, that is to say, the ship cannot sail exactly at the time appointed.

3606. Of course, it is the object of shipowners and masters to reduce as much as possible any needless payment of wages, by making the wages begin to run from the actual sailing of the ship?—It is.

3607. For the good of the service, do you not think that they ought to make that sacrifice, that from the time of engagement wages should run, and even if an interval was imposed by law between the time of the engagement and the ship sailing, and it was made imperative that the time of joining should always be 24 hours before the intended hour of sailing, the owners and masters might fairly be called upon to make that sacrifice of an additional payment of wages?—I believe it would be to their great advantage; my reason being that drunken sailors are very unfit for duty.

3608. Do you know of cases where the arrangement is made, as, for instance, where there is a long roadstead, as at Southampton, and places like that, where owners, for the sake of their own service, do get men on board 24 hours before sailing?—I know of respectable captains who get their men to join before they go, but I do not know of the owners doing it.

3609. Is there anything you wish to add?—I only wish to make this remark, which I feel important, that the greatest hindrances to the improvement of sailors are the great number of taverns round about all our seaports wherever the sailor goes.

3610. Have you any suggestion to make as to the better regulation or licensing of such taverns?—I think a system of detective police, well managed and organised, would be the only means of bringing these taverns into anything like order.

Mr. *Bates.*

3611. You are a clergyman of the Church of England, and a B.A. of Cambridge?—Yes.

3612. I think you have said your evidence refers merely to the ports of Cardiff and Bristol?—Chiefly so.

3613. You have no knowledge of Liverpool and London?—Not personally.

3614. You say that men are compelled to join by the crimps; what do you call a crimp?—The boarding-house keepers who have these men in

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Mr. *Bates*—continued.

charge, when they have shipped to a certain ship, and they have no more money to receive from them, they get them to sign articles; it is to their advantage then to make them go to sea, and they will make them do it; they will take them and force them to do it.

3615. You call a boarding-house keeper a crimp?—The crimps run for the boarding-house keepers and assist them; they are hand and glove together in some way.

3616. The crimps are the boarding-house keepers' runners?—Yes, they are allies in their work.

3617. You have been at Cambridge; did you ever know what young men paid at Cambridge to money-lenders for discounting their bills or acceptances?—I know nothing about it.

3618. But you do know that crimps often get 60 per cent. for discounting advance notes?—I believe so.

3619. You say there are some seamen in Bristol who never get advance notes?—Just so.

3620. Do the generality of seamen get advance notes?—They do.

3621. Where do the generality of vessels go to from Bristol?—There are different trades, the West African trade and all kinds of trades. I particularly alluded to Cardiff in that matter, where I have met most respectable seamen on board, and the captains have said, in answer to my inquiry, "These men require no advances." I judged it from the state of the men, from their respectability, and on putting the question to the captain I found it to be so.

3622. You think the payment of wages might be made to sailors immediately on their arrival?—I should prefer the allotment way of sending it after them.

3623. You think it is possible to pay sailors immediately when they arrive?—Yes.

3624. And in that way these guardians of these men would be present, and get them to take it to a bank, or wherever they might have opportunities of transmitting their wages to their families; is that what you mean?—I understand from Sir Charles Adderley that there is a plan by which an allotment shall be made, and the sailors shall not have the money put into their hands at all.

3625. We are talking of inward wages, when a man arrives, not when a man leaves. When a man arrives from his voyage do you think the captain would pay the man's wages at once when he is discharged; in other words, do you not think it necessary that two or three days should be given to make up the accounts?—I am sure it is not.

3626. Supposing a ship arrives at one o'clock on Sunday morning, would you have the men paid there and then?—I understand it is contemplated to have a system by which the men shall not receive their money at all when they arrive in their own hands. It is that I object to, for if the men have the money put into their hands, then of course there are plenty of people round him ready to take it away.

3627. Then the sailor is not to receive his money?—Not to the full amount.

3628. Do you know that there are such things as advance notes and allotment notes?—Yes.

3629. Is it possible for a captain to know how many of these allotment notes have been paid during his absence until he gets to his own office?

Mr. *Bates*—continued.

—I should not think so; without reference to the office it could not be done.

3630. I suppose all ships that arrive at Bristol do not belong to Bristol, but some would be owned in Liverpool, London, Scotland, or Ireland?—Yes.

3631. Will you tell me how it is possible to get the amount of the allotment notes from the owner's office where they are paid until the owner knows that the ship has arrived, and can make them up?—Cannot the captain trust the owner before he goes to sea to tell him what is the arrangement made about that?

3632. That is very true; an allotment note is given to the sailor when a ship leaves on her voyage, suppose these allotment notes have all been paid during the seaman's absence, as a matter of course the captain can calculate at once?—Yes.

3633. But still he cannot calculate up to the very last moment?—It could be done to the very day he left or the day before.

Chairman.

3634. I understood you to say the seaman having been enabled to go off without payment, except a few shillings to get him home, the accounts would be settled by the superintendent afterwards?—Yes.

3635. And of course he would have full time and means to ascertain the amount of allotment notes; is not that the case?—Yes.

Mr. *Bates.*

3636. Then you mean to say the superintendent shall receive the wages; except the amount that would be given to the man to enable him to go home, you would have the balance of wages paid to the shipping office?—To the shipping office, and the shipping office to put it into the bank or to whatever purpose it is to be applied.

3637. That is what you would propose?—Yes.

3638. Is it not necessary before that money can be paid to the shipping office, to know how much is due to the sailor?—Yes.

3639. And how can that be arrived at if the owner is in Scotland and the ship comes into Bristol?—The captain and the superintendent might arrange that.

3640. You think it could be done in that way?—They can arrange that correctly and without any doubt.

3641. Without reference to the owners: for instance, it will not be necessary to write to the owners, "How many months' allotment money have you paid to Mrs. So-and-so, wife of such-and-such a seaman"; would it be necessary to do that?—I really cannot answer that question, because I do not know much about the arrangement as to these payments.

3642. In the case of the loss of a ship, and the safety of the crew, it often happens that the owners know nothing about it for four or six months after that ship has been lost, until the men are landed at some place, perhaps in India or China; the allotment money is going on all the time; how would you arrange for the payment of wages immediately such a man was discharged?—I have understood that the Board of Trade have certain regulations by which wages of that kind are appropriated to certain purposes.

3643. You

Mr. *Bates*—continued.

3643. You do not understand my question; suppose a ship is bound for China and is lost a month after she leaves Bristol; the sailors belonging to that ship have left allotment notes to their wives, the news of the loss of that ship does not arrive for six months afterwards; in that case the allotment notes are going on all the time although the seaman is earning no wages; how would you in that case pay the men on arrival?—From what I understand, the men do not arrive; the ship is lost at sea.

3644. But the men are saved?—Saved after a longer or shorter time than the voyage would be supposed to last.

3645. Supposing she was lost a week after sailing, the owners may not know it for six months?—I should pay them the full time that those men were away until they arrived at home. Supposing they were sent home by a consul or other means, you would not have the wives starve because their husbands are wrecked?

3646. That is your knowledge of the law; you have given us your ideas in some measure as to the fourth clause; is your knowledge of shipowners and seamen sufficient to give the Committee an opinion upon that clause?—I do not think it is; I have not entered into that particular point as a part of my inquiry and thought.

3647. You really know nothing at all about it?—No, I would rather not express any opinion upon it. I am not acquainted with the Workmen's Act in all its details of working; it is not a subject which I have entered into.

3648. What is the amount of wages generally received at Bristol by sailors inward bound; I am not talking of one or two West India ships, but the generality of vessels trading to the port of Bristol?—It varies from 10 *l.* to 40 *l.*

3649. You said the best seamen do not require an advance note; for what reason?—Because they have money of their own.

3650. They require a kit to go to sea?—They have money to provide it for themselves.

3651. I suppose a man always requires something new after a voyage?—Yes, and he is quite able to get it.

3652. You said something about the Shipwrecked Mariners' Society; I believe that society only allows money to wrecked sailors?—To wrecked sailors.

3653. Perhaps you will tell us what you consider a distressed seaman to be?—Of course when he is wrecked himself in the first instance; and, secondly, when he has wrecked himself by his improvident habits.

3654. Do you know that there are such things as sailors sent home from India and China in ships, and that the shipowner receives a shilling per day, paid by Government, to bring these men home; men who have been left, perhaps, in hospital, who have gone away, or, perhaps, misconducted themselves, and have got sick or been in prison; do you know that there are such people?—I do not know much about that.

3655. In your fifteen years' experience you never fell in with these men?—I have not had anything to do with them.

3656. Do the ships at Bristol always go into the roadstead?—They do not always anchor in a roadstead; sometimes they go straight up to the port; sometimes straight away according to wind and weather.

Mr. *Bates*—continued.

3657. Where do they anchor?—They do not anchor at all sometimes; with a fair wind they go straight away.

3658. Then they have never to wait for sailors?—No; they are all ready for sea, and if it is a fair wind they go right out to sea.

3659. They get the sailors on board when they leave the dock?—Yes.

3660. Have you ever thought about the present law as to getting men to join their ships on sailing; for instance, such men as have indulged a little the night before, or secreted themselves; have you ever considered that law?—The law, as regards the words of it, I do not know; I am not a lawyer, and I have not studied it.

3661. You know the practise?—I do not know what the law is, I have not studied it.

3662. How are these men got on board?—If they have been at a sailors' home the master of the home sends his men and takes them; if they have been at a boarding-house, the boarding-house keeper sends his men and takes them.

3663. After signing articles, that is the way that they are got on board?—Yes.

3664. Do you think there is any great hardship if a poor fellow has a little too much drink in a boarding-house keeper taking him on board his ship and enabling him to perform his duty when he gets sober?—The hardship is in his having made himself in an unfit state by his improvident habits.

3665. Having done that, do you think it would be much worse to get a summons for him and put him in a police office, and then have him to be put on board ship?—I think it is best for him to be taken to the ship.

3666. Of course you do get summonses or warrants in Bristol for nothing?—No.

3667. You have to pay for them?—Yes.

3668. If a sailor neglects to join, he can be placed on board his ship by the present law, and you think it would be better that that law should continue than that he should be summoned or have a warrant taken out against him to appear befor a magistrate?—I think it is better that he should be taken direct to his ship.

3669. You say it will be a great advantage to the sailors if owners would take them on board 24 hours before sailing?—Yes.

3670. In that way they would get sober?—Yes.

3671. From your knowledge of sailors do you think it is possible to get Jack to stay on board ship 24 hours before she sails if she is in dock?—I am sure many do it.

3672. I am not talking of good seamen, but of the generality; did you ever know a crew in your life that joined a ship in dock 24 hours before sailing?—I have known a good many who have stopped on board the ship for that time.

3673. Have they stopped all night on board and never left the ship again?—Never left it altogether; stopped on board.

3674. You mean that they have not gone on shore at night?—Sometimes the captain allows them to lodge on shore at night; it is a matter of agreement.

3675. Can they have fires and lights on board their ships in Bristol?—Yes.

3676. Are you aware that in Liverpool there is no such thing allowed as lights and fires?—I have been told so.

Rev. *R. B. Boyer.*

29 March 1878.

Rev. *R. B. Boyer.*

29 March 1878.

Mr. *Bates*—continued.

3677. You rather infer that shipowners would object to have sailors on board 24 hours before sailing, on account of having to pay them wages?—It is possible.

3678. Do you mean to tell this Committee that if a shipowner could get his men on board 24 hours before sailing, and do the work which he has to pay for to outside men, riggers, stevedores, and so on, that he would object to pay his own crew, and thereby enable him to keep them sober, on account of the question of costs?—I do not think shipowners would object.

3679. Of course you are aware there are such things as sails to bend, anchors to put over the bows, and all that kind of thing, hatches to batten down, stores to get on board. If we could get men to be on board 48 hours, or 36 hours, beforehand, the crew would do all that work, and save the shipowner the expense of having to hire men for the purpose?—So far as unbending the sails, and getting the anchors over, and all those things pertaining to the ship; but, as regards matters pertaining to the cargo, you know that has nothing to do with sailors, it is done by stevedores.

3680. If the shipowner could get his men on board 24 hours, or 48 hours before sailing, would it not save the shipowners the expense of having to hire riggers and lumpers to take the ship through the dock-gates, to bend the sails, to get the anchors over the bows, and take in stores?—If he could depend on them for three days, it would.

3681. Suppose he could depend on them for one day?—It would help him a great deal.

3682. Would it not be an actual saving to the owner if he could get his men 24 hours beforehand to do this work, instead of having to employ outside men. The sailor gets 3*l.* 10*s.* a month, whereas a rigger or lumper is paid 7*s.* or 8*s.* a day. Do you not think owners would prefer to have their men on board to do this work, instead of having to pay two or three times the amount to hired men?—Most owners make an arrangement with riggers to do all this for their ship; to have the ship ready, and all rigging set up, and everything of the kind. So far as my knowledge goes, that is the general practice of owners, therefore that to a great extent would be all done.

3683. Do you think owners would make that contract if they could have their own men on board to do it?—It could not be done in three days.

3684. Sails could be bent?—Sails could be bent.

3685. And anchors got over the bows?—All that could be done.

3686. And ships' provisions and stores taken on board?—That could be done; what I referred to was repairs and setting up the rigging.

3687. That is another thing altogether; that is a rigger's job. A rigger is required when the sails are all bent and the rigging is set up to take the ship to the pierhead?—A rigger is not required.

3688. Not if you have your own men; but if you have not your own men, if you have not your crew on board, I suppose you are aware riggers are put in their places?—Quite so.

Mr. *Torr.*

3689. The object of your pamphlet is to show the evil effects of crimping?—It is so.

Mr. *Torr*—continued.

3690. And that has been a subject that has engaged your attention for years past?—Yes.

3691. Have you been an owner of ships?—I have not.

3692. Have you been an agent for ships?—No.

3693. A ship's husband?—No.

3694. Have you ever had the management of engaging sailors or paying off sailors?—No.

3695. Do you know anything of the practical working of a ship?—Not so far as service at sea goes.

3696. You have never been a voyage on board?—No.

3697. Have you ever been on board a ship when the crews have gone on board one day and laid in the anchorage for 24 hours, to see the condition that the men came in?—Very frequently, yes.

3698. You have given us a good deal of information on this point about the management of a ship in every form, about the payment of wages, the amount of wages that men come on shore with, the measures necessary to get the men on board, the condition in which they have come on board, and my inference when I heard your answer was that you really knew practically the working of the ship?—I suppose personally by intercourse I know more captains, and perhaps shipowners, (those connected, at all events, with the ports of the British Channel), than I should think most men, and I gather my opinion from personal acquaintance with the shipowners and captains and men connected with the shipping business, and from having been on board many thousands of ships myself.

3699. But your interest in it is an interest in the sailor in his moral and immoral condition, rather than what I should call the commercial element of a shipowner?—That is so; the commercial or legal element is not what I have to do with.

3700. You lay great stress upon the evil of the advance note; you think that that is the foundation, or nearly so, of all the evils that befall the sailor, or a great many of them; that it gives him the means of getting drink, and is the temptation for the crimp to get hold of him?—Just so.

3701. Do you think that the keepers of lodging-houses should be licensed?—Certainly, and under the inspection of the police.

Mr. *Burt.*

3702. I understood that you did not give a definite opinion as to Clause 4 of this Bill; whether the Employers' and Workmen Act is applicable to seamen or not?—I prefer not to give a definite opinion upon it.

3703. You stated that, in the present condition of the seamen, severe measures are needed to get them to join their ships; now do you not think that these severe measures tend very much to perpetuate the evil?—So far as imprisonment goes, I think it is detrimental to them, and keeps them down in a lower position than they might be, and than we hope they will be. I think that imprisonment is injurious to them.

3704. Do not you think that it would be preferable to rely on moral means; if the advance note were made illegal, and seamen were put on the same footing as other workmen, who are not liable

Mr. *Burt*—continued.

liable to arrest and imprisonment, do not you think it would tend very much to improve the moral tone of the seamen?—Yes, I quite think that. I think that imprisonment is very degrading to them if it can be avoided.

3705. I understood you to say that, when seamen are well treated and have good food, and vessels are in a seaworthy state, and so on, cases of refusing to join are not of frequent occurrence?—Quite so.

Mr. *Rodwell.*

3706. You say you give no opinion upon the law of Clause 4; did I correctly understand you to say that in 15 years' experience and inquiry, you had never known a man imprisoned for not joining?—I have not known him personally; I have read reports.

3707. I suppose you have made it your business to inquire into these matters?—If it had been a general thing, I certainly should have known of it.

3708. I tkink you followed that up by saying that you thought the terrors of civil proceedings would have the same force as the terrors of criminal proceedings?—If it ended necessarily in their being obliged to go to prison.

3709. Does it occur to you that the reason why there have been so few cases of imprisonment in your 15 years of experience is, that the men know, if they do not go on board, they will be liable to criminal proceedings?—I have referred it to this, that the boarding-house keepers, and I may say too the Seaman's Home, have an interest in getting them on board.

3710. You referred it distinctly, those were your own words, to the tenor of the law, and you went on to say that you thought the terror of the civil law would be equivalent to the terror of the criminal law; now do you attribute the facts of the law having been so little put in force to the terror which these men have of the criminal law being put in force?—I believe they have a greater terror of these boarding-house keepers taking them on board and making them go, than anything else.

3711. Then you do not attribute it to the terror of the law, whether civil or criminal, but to the power that the crimps have over them?—That is my opinion.

Chairman.

3712. Still there are a great many men, are there not, who neglect to join; at all events, those who neglect to join have not been deterred from that breach of contract by any terror of criminal proceedings?—I have heard of cases where the men have been secreted, when it was the interest of parties to keep them hidden, in different places.

Mr. *Rodwell.*

3713. You did not answer my question; do you know of cases where men have refused to join their vessels?—Of course there are cases.

3714. Do you know of such in your 15 years; never mind the information you have got; you have stated that for 15 years you have taken a prominent part in these matters; in those 15 years have you known cases where men refused to join vessels?—I have.

3715. What has been done?—Sometimes the captain will take proceedings, and sometimes he will not wait at all; he will just get another man and be off to sea.

Mr. *Rodwell*—continued.

3716. What precautions has he taken, to your knowledge?—He would get the police and track the man, and, if possible, lay hold of him, and then take him before the magistrate; but such a thing is very rarely done, because the captains will not wait; they want to get to sea, and it is a great injury to the owners to detain the ship.

3717. Then you are not quite correct in saying that during 15 years you have known no case where the criminal law has been put into motion?—I have occasionally known an individual who could not be got on board; but it would be some time ago.

3718. Do you know whether the law was applied to him and he was punished; do you know of any case within your own knowledge of a man having been punished for not joining his ship?—I could not say I do.

3719. It has been suggested by the honourable Member for Plymouth that it would be an advantage to the shipowner, and, you say, to the seaman, if he was put on board some 24 hours or 48 hours before the ship sailed; you seemed to agree to that; now what I want to ask you is this, do you see any objection at all to treating the man who joins his ship 24 hours before the vessel sails on the same footing as a deserter from the vessel, if he leaves the ship without the captain's leave, having once set foot on board, and his wages having begun to run?—I see no objection. I think he should be treated in the same way.

3720. I am not dealing with the ship's articles; I am merely putting this case: the wages begin to run 24 hours before the ship sails; he makes his appearance in due course; from the moment he sets his foot on board would you treat him as a seaman on the voyage, and, if he left the vessel without the leave of the captain, treat him as a deserter; do you think there would be any hardship in doing that?—I think he should be treated as a deserter.

3721. You have told us that the difficulty sometimes arises from captains getting a substitute in a hurry, and by putting off the hour of joining to the last moment?—Yes.

3722. Supposing a man had signed the ship's articles to join 24 hours before the ship sailed, and he did not make his appearance within one hour of that time, do you think that there would be then any hardship if the captain had the power, if he pleased, to cancel the articles, and find a substitute for that voyage?—No, I do not think so.

3723. Do you think such an arrangement as that would be of advantage to the sailor, with regard to his competency to go on the voyage?—I think it would be right.

3724. Representing the seamen's interest, which, I presume, you do here, you think that is an arrangement which would have your approval?—It would.

3725. You say that you would not pay the money into the seaman's hands when he arrived at port?—I would not pay the full wages.

3726. I will take, first, the case of a single man who comes back entitled to 25 *l.*; you mean that you would deprive him of his right to receive 25 sovereigns?—I think it would be for his good, and he would see it was for his good.

3727. That

Rev. R. B. Boyer. 29 March 1878.

Mr. *Rodwell*—continued.

3727. That is not the question. I am asking you, do you say that you would introduce a law which would say to a man who had earned his 25 *l.* in legal coin of the realm. Do you see the difficulty which that suggestion involves?—Yes.

3728. Do you think, upon reflection, that that could ever be maintained for one moment in this country; do not you think it would be a very strong proceeding to say to a man who had earned the money, "You shall not do what you like with it; you shall not spend it in any way you please"?—I see the difficulty, and there is a difficulty in it.

3729. I think you will agree with me that it is an insurmountable difficulty?——

Chairman.] I think his evidence was not that a seaman should be deprived of his rights, but that he should have the option of receiving a few shillings paid down, and the rest of his account settled afterwards.

Mr. *Rodwell.*

3730. I think his suggestion was, that the sailor should not receive his wages in money?—That he should have it transmitted to his home, or put into a bank.

3731. Supposing you paid it into a bank, I suppose you would give him the legal right of drawing it out of the bank?—What I would do, if possible, would be to prevent these people running after him.

Mr. *Ashley.*

3732. Do you think if a barrister received a retaining fee for 11 o'clock on any Tuesday morning at the Queen's Bench and did not appear, it would be right to treat him as a deserter?——

Mr. *Rodwell.*] I did not put that.

Mr. *Ashley.*

3733. I am putting it as an analogy. If a barrister received by way of advance his retainer fee, say on the Saturday, and undertook to be at the Queen's Bench to conduct a case on Tuesday at 11 o'clock, and did not appear, but neglected to join the court and conduct the business, would it be right that he should be treated as a deserter, and suffer those penalties which are attached to a seaman not joining his ship?—The delay of a ship in port is such a loss and so injurious in every way that one sailor may cause a very great deal of trouble and loss, and therefore I fully admit that a special law to require seamen to join their ships is necessary.

Mr. *Wilson.*

3734. Pecuniary loss or danger?—Pecuniary loss.

Mr. *Ashley.*

3735. Are you aware that the absence of my friend Mr. Rodwell from a case might very likely be a great pecuniary loss to his clients, perhaps measured by hundreds or even thousands of pounds?—Yes.

3736. Have you known cases where seamen have deserted in order to do the crimp out of the proceeds of the advance note, where he has said, "I will prevent the crimp from getting his money," and has therefore run away before the three days have expired?—I have not been able to trace it to that cause.

Mr. *Ashley*—continued.

3737. You have had a large acquaintance with shipmasters and people connected with shipping?—Yes.

3738. In your intercourse with them, have you found a prejudice prevalent against anything that would make the seamen independent; have you found that they consider if a seaman got thrifty and prudent, and independent, he would lose his character and not be so valuable as a servant?—I have not found it so.

3739. The honourable Member for Plymouth put the case of a shipwrecked mariner who had been sent home, and whose allotment money had been running perhaps for six months after the shipwreck without the owners knowing it; in that case there would probably be no wages at all due to him, would there?—Certainly not.

Mr. *Corry.*

3740. Have you ever attended at a shipping office when a crew has been shipped?—I have.

3741. Consequently you are aware of the way in which a captain selects his crew?—Yes.

3742. Then you know all about the articles that the seaman sign and the engagement into which he enters?—I have frequently read them.

3743. In every article that you have read is not there a time specified at which the man was to be on board?—I suppose there is. That is before the ship leaves the dock gates. I do not know the exact words of the articles.

3744. Consequently you do not know whether there is a stipulated time in every set of articles when men are to be on board or not?—I do not know.

3745. Suppose that the articles say that the men are to be on board at 6 o'clock in the morning, the tide time is not until 12 o'clock at noon, the ship being in dock and not able to get out until tide time, have you ever gone to the dock gates when the ships are going out of the dock?—Yes.

3746. And have you seen the way in which the men are put on board?—Yes.

3747. Suppose that the crew had to be on board at 6 o'clock in the morning, and the tide time was 12 o'clock, would you find many of the men on board at 6 o'clock?—Not generally.

3748. They are generally on the pierhead, are they not?—Yes.

3749. And what time are they got on board?—Just before the ship goes out.

3750. Is there ever any difficulty in getting them on board even then?—They have to be brought by the boarding-house keepers and the agent of the Sailors' Home, and seen on board.

3751. But suppose that these men could not be brought there by even the Sailors' Home men, or by the boarding-house keepers, how would they be got on board?—I know that of late years at Cardiff, the Board of Trade police take a list of all the men when they are shipped, and they see them on board. There is a staff of police at Cardiff and I understand it is their business to see that the men are there.

3752. Do these police go into the public-houses after the men?—I could not speak to that point; I do not know.

3753. But they see them put on board?—Yes; I have seen them do that at Cardiff.

3754. Then it does require the aid of the police, according

Mr. *Corry*—continued.

according to your experience, to put these men on board?—Very frequently with very careless men.

3755. You have told the Committee that when you have gone on board ships and looked over the crew, you could tell from the appearance of the crew who were the good and who were the bad; are the seamen that you consider the good men generally English seamen?—A great many are, but I must confess that a great many are Norwegians, Danes, and Swedes.

3756. A very great number of those whom you consider good men are, from their appearance, foreigners?—I do not mean foreigners generally, but natives of those three countries.

3757. You say that one great cause of the difficulty of getting seamen on board is the number of taverns and houses of that class about the docks; now is there any way of preventing the increase of those taverns; does not the law permit an increase of those taverns provided an application is made for a license?—So far as I know, it all rests with the local magistrates.

3758. You have told the Committee that you consider it would be an improvement if, instead of an advance note, the captain gave the man an outfit on board; would not that be very much like the Truck system?—It would be open to some objections, but I should consider it less objectionable than that system to which they are now exposed.

3759. Have you ever, in your experience amongst seamen, heard complaints from them of the captain overcharging them for clothes?—I have not.

3760. Suppose the case of a ship which started from Greenock, and the crew were shipped at Greenock, a large number of them probably belonging to that port, you suggest that immediately that ship arrives at Bristol and the men leave her, that they should be handed their account, and, according to your experience, would such men start off to Greenock at once with the money they get?—I think they would.

3761. Then if there was any dispute about wages, that would be left entirely for the captain and superintendent to settle?—Before the crew left the ship they might sign their names to the sum that was due to them. The captain would present the book with the account, and the seaman would sign his name.

3762. Have you ever seen a sailor's account?—At the Board of Trade?

3763. The account that is rendered to a seaman by the master of a ship?—The masters of ships have sometimes shown me their accounts.

3764. Have you seen in a sailor's hands the account that is handed to them by the captain?—No.

3765. Then you really do not know anything at all about the form of the account?—Not about the way in which the sailors receive their money. I only know that they are kept in port frequently three days before they receive their wages at the shipping office.

3766. But does it not sometimes happen that the shipping office cannot pay off the crew at the time when the captain would wish it to be done; that the superintendent is not capable of paying off the number of crews in one day that have to be paid off?—There might be such cases, but I have not known of them.

3767. Would you be surprised to know that

Mr. *Corry*—continued.

frequently application is made to the shipping office to pay off a crew, and the superintendent says, "We cannot pay to-day, you must come to-morrow"; and it is the fault of the shipping office which cannot do the work in the time?—Just so.

3768. You say that beerhouse keepers and crimps are such a class of men that you think they should be under inspection; do you class all beerhouse keepers in the same category?—By no means.

3769. There are some respectable men who keep boarding-houses?—Certainly.

3770. Do they get the better class of seamen in their houses?—Very often they do; when they are well known, seamen go to them regularly after every voyage.

3771. And you think if the housekeepers could be improved it would tend to improve the sailors too?—I do.

3772. You told the Committee you have seen a great many men who do not take advance notes?—I have met them from time to time.

3773. But the majority of the men do take advance notes, I believe?—Yes.

3774. Why do they take advance notes?—They have frequently something to pay either at the home or the lodging-house.

3775. Have you ever known men take advance notes who really did not require them?—I have not, but I do not mean to say they do not.

3776. But of your own knowledge you do not know of men taking advance notes who do not require them?—No.

Mr. *Macdonald.*

3777. You said, in answer to a question put to you, that you represented the views of the seamen here?—I did not say that I represented the views of the seamen.

3778. That was what appeared to me to be your answer, and I was anxious to put you right?—I did not say that; I represent what I feel to be for the good of the seamen, but I dare not say I represent the views of the seamen.

3779. In short, if any answer of yours has tended to create the impression that you directly or indirectly represented the views of the seamen, that would be a wrong impression?—I could not by any means take upon myself to say I do.

3780. What you stated to the Committee in regard to this matter is simply your own view, arising from your experience as connected with the Mission for Seamen?—Quite so.

3781. Your mission to the seamen has not been that of watching the crimps, or attending to the paying-off of the men or to the engaging of the men, but is of a moral character, and does not deal with their social relations?—We know thoroughly the doings of the crimps.

3782. Arising from your position as an instructor?—In personal intercourse with them; we go on board the ships, and we see all about them.

3783. It is no part of your duty at all to go into the office and learn what the exact agreements are?—No.

3784. You stated very clearly, I think, to the right honourable Chairman, that you were not in any way connected with shipping, that you really had not been connected with shipping in any way,

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Mr. *Macdonald*—continued.

but you were a clergyman of the Church of England?—Yes.

3785. You were also asked if, during the 15 years that you have been connected with the port of Bristol and other ports in that capacity, you had known any man sent to prison for neglecting to join; is it your business to inquire into that?—No.

3786. It would be travelling beyond the limit of your position?—Yes.

3787. So that the question put is irrelevant to your position?—I never made it my position.

3788. Do you think that any men have been sent to prison during those 15 years?—I have no doubt some have.

3789. Do you not think that a large number of men both in Bristol and Cardiff have been sent to prison during those 15 years?—I have met many men in prison, but not for that exact reason.

Mr. *Rodwell.*

3790. Not for not joining?—No.

Mr. *Macdonald.*

3791. But do you think it is quite possible that there may have been; nay more, is it not a fact that there have been many sent to prison during those 15 years?—I do not doubt that, but it has not come to my personal knowledge.

3792. It is not in that view of your work?—Quite so.

3793. And if any impression was created by your answer that men have not been sent to prison, that would be a wrong impression?—Certainly.

3794. You were asked by the honourable Member for Plymouth, if men were engaged to go on board 24 hours before the ship sailed, whether it would be better for them, and I think your answer was, that it would be; so far as your knowledge goes, is it the custom for the shipowner to engage men in that way?—I am not aware.

3795. I suppose you are quite aware that the seamen could not make this contract for themselves unless the owners asked them to do so?—I should suppose not.

3796. If such an arrangement was to take place, or such a form of contract was to be made, must it not proceed from the shipowners rather than the seamen?—I should say so.

3797. Must it not in every case?—I should say so.

3798. Have you seen men taken on board a ship, or put on board, or conveyed on board, in a state of intoxication?—I have.

3799. Have you seen that frequently?—I have.

3800. Is that a weekly occurrence, and sometimes a daily occurrence?—At the present moment I do not visit the ships myself, because I am the general superintendent of the mission, but when I was visiting them personally I used to see it.

Mr. *Rodwell.*

3801. Then you have not seen a great number daily or weekly?—Not lately; and, to speak my mind, I believe that that has somewhat improved.

Mr. *Macdonald.*

3802. When you did visit the ships regularly, and it was a part of your duty, have you not seen that the case frequently?—I have.

3803. As a man, to say nothing of your position as a Christian minister, do you not think it is a degrading state of things to the owner and all concerned, that that should be tolerated in a country like this?—It is a degrading state of things. One owner told me in his own house that he was so pained and grieved at the state of things in regard to ships going to sea, that he would never see his own ships go to sea. The pain was so great to him to see the surroundings and characters connected with the ship when she was going to sea, that he took care to keep away from it himself.

3804. He was a man with an acute moral sense, I suppose, of the position he was placed in?—He was disgusted with the habits.

3805. You have been asked some questions regarding the advance note; is it your opinion that the advance note lies at the very root of all this state of things?—I am disposed to think so.

3806. You have told us, and I believe you have accurately described it, that there is a large number, and I am happy to hear that it is an increasing number of seamen, who do not ask for advance notes, who have an outfit sufficient from money they have collected before, or are able to buy their outfit and go to sea from their own savings; have you ever seen these men put on board a ship by crimps or others in a state of beastly intoxication?—No.

3807. Then who are the men that are put on board in a state of drunkenness; are they those that have had the advance note?—Certainly.

3808. And those only?—The others would not be put on board, I am sure, for they would not go to drink.

3809. Then it is not the temperate men, the provident men, but the men who go for the advance note alone, that all this trouble is with?—It is with the improvident, careless men.

3810. That is your experience?—I would say this as an exception, that many men with good intentions and the best of purposes, coming home from long voyages, and not intending any evil, are led into it.

3811. I am dealing with the question of joining ships, not of being paid off?—It is the improvident ones.

3812. You were asked if it was not necessary, and I think you stated that it was necessary, to have some strong measures to put men on board ship?—Yes, I did.

3813. How do these strong measures become necessary?—Many of the men have to be taken from brothels and low places, and such measures are necessary to take men from such places.

3814. The necessity arises from the men being in that state?—Yes.

3815. The men having previously received the advance note, are spending it there or getting money from the crimp to spend it there?—At the last moment, before they join.

3816. If there was no money advanced, no advance note given, is it your opinion that that state of things would continue?—I think it would be very greatly altered and improved.

3817. You believe that abolition of the advance note would alter and improve it very much?—That is my opinion.

3818. That conviction you have arrived at as a clergyman, as a man meeting those misguided

Mr. *Macdonald*—continued.

guided people for the last 15 years?—Yes; and also from many captains who have told me the same.

3819. You are speaking from your own personal experience, and you are also speaking from what captains have told you, when you say that it would be for the benefit of all concerned if the advance note was abolished?—Yes.

3820. I have no doubt you know a little of the outside world as well as the seaman's life; do you think there is any State reason, or any great reason, why the seaman should be put under one exceptional law, as against all the other working men of this country?—I have given my reason; that it is most important that a ship should go to sea at the time appointed, and many of the sailors are so degraded that measures are necessary to secure them there at the right time. I am not a judge about the law, but as the case stands such measures are required to take them there.

3821. The advance note, you say, has a tendency to corrupt them, and in consequence of their becoming depraved and degraded for a few hours before they go on board, you would put into operation a criminal law for the purpose of making these men serve their contract?—Suppose the advance note was abolished, and there were means of preventing them being kept in the hands of the crimps and under that evil influence during the time they are in port, I do not think that they would require such severe measures to make them join their ships.

3822. In short, like the provident men whom you have so well described, they would join their ship from a desire to be able to gain their livelihood like other honest men?—And they would go to see the ship beforehand. One of the things which leads men to be in a state of intoxication for a long time during their stay in port, is that they never go to see their ships, but go blindly to work; and if they were kept out of that influence they would, as men of common sense, go on board at once, and see what they were going to do.

3823. If these men were provident, and had common sense, you would not require a strong law?—No.

3824. And it is because their passions are ministered to by the advance note that that state of things occurs?—It is very much aided by that.

3825. When a seaman goes to sea, there are two parties to the contract, the shipowner and himself: if the shipowner refuses to pay the seaman's wages, though he had legally earned them, how would he be treated at the end of the voyage?—I can only say I have not heard of the case.

3826. Supposing he refused, would he be apprehended, and sent to prison for six or 12 weeks, with hard labour, for neglecting to pay the wages of the seaman?—I suppose such measures and legal proceedings would be taken against him as the law requires. I am not prepared to state what that law is; I do not know it.

3827. Would it surprise you to hear that the law is purely civil; that he would only have to go to the court as a civil debtor?—Yes, he goes to the court as a civil debtor.

3828. Do you think there is any reason why a seaman who had got an advance note of 3 *l.* should be treated as a criminal, because he will not fulfil the contract, any more than the shipowner who refuses to pay the workman after he has worked for his wages should be treated criminally?—It does not appear right to one's own mind; but there is one thing to be considered, that we do not suppose shipowners are under the power of crimps or agents of that kind. We have to consider the condition of things that sailors have been under for a long time. In reason, of course, it is not right, but the condition of the parties is so different. That is all we can say.

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3829. Do you see any reason why one side of the contract should be criminal and the other civil?—In abstract reasoning, of course, we should say, what is right for one is right for the other.

Mr. *Charles Wilson.*

3830. Your connection with seamen is for the purpose of endeavouring to improve their moral position?—Exactly so.

3831. Am I to understand from your evidence that you, in any way, expect to improve the position of seamen by Acts of Parliament?—Certainly.

3832. In what way?—By taking away some of their temptations in port. It will help them to be more sober and more reliable.

3833. May I ask what temptations?—Having a great sum of money to receive when they arrive, and having a number of crimps and boarding-house keepers, and bad women all around them to tempt them; and then there is the advance-note system, giving them a drop of drink the last thing before they start on the voyage.

3834. Would you make seamen subject to exceptional legislation in these respects?—They are already subject to it; it is only a question of what amount. They are already subject to special legislation.

3835. You mean as far as this arrest without warrant is concerned?—The advance-note system.

3836. You were asked, "When seamen are well treated, and have good food, and the ships are seaworthy, and so on, do you think the seamen will join their ships," and you said, "Just so." I think you can hardly have understood your answer; because, if a seaman has not joined a ship he cannot have received any treatment at all; he cannot have received any food?—Quite so.

3837. That answer was rather inconsiderate that a seaman would join his ship if he were well treated, and had good food?—It would be wrong if I said that.

3838. You said you would not pay money into the sailor's hands when he arrives from a long voyage?—Just so.

3839. That would be very exceptional legislation?—It is exceptional that he should have a large sum of money to receive after a long voyage. That is not the way in which other men, as a rule, are treated. They have their wages paid monthly, or in some other way, and, therefore, the seamen's position is altogether exceptional. That is the reason why exceptional legislation is required.

3840. Do you find that seamen protest against the present state of the law. Is there anything that they protest against. Have you ever heard

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Mr. *Charles Wilson*—continued.

them say anything about this arrest without warrant?—I have not heard sailors protest against law. They protest against things that they feel.

3841. When they return from a voyage, have you heard men who have been forcibly put on board their ships complain of that?—I have not heard it myself.

3842. Have you heard any complaint from their wives, or any relatives?—I have not.

3843. You say imprisonment tends to lower the moral tone of the seaman. Do you think any alteration of the law that would tend to facilitate breaches of contract made by the seaman would improve the moral tone of the seaman?—I would not expect any alteration of the law to tolerate that.

3844. But supposing the alteration of the law tended to facilitate breaches of contract, would that improve the tone of the seaman?—If the law facilitated that, it would not be right.

3845. Would that improve the moral tone of the seaman?—No.

3846. You have given us a good deal of evidence about advance notes; I do not know whether you are speaking from personal experience, but your evidence is totally different from anything I am acquainted with. You say that good men do not take advance notes; do you know really for a fact, or would you say it is a fact, that all men take advance notes, or that it is merely an exception if they do not?—I would certainly say that. I have a statement from a captain that I will refer to. I was at Yarmouth the other day, and a very old shipmaster, amongst other things, told me this.

3847. Is he a master at present in command of a vessel?—He is not at present.

3848. How long is it since he was a shipmaster?—He was a shipmaster for 13 years, and he simply says, "I have had many men who did not require advance notes."

3849. I think it is your opinion that an increasing number of seamen do not ask for advance notes; you are not able to state that as a fact, surely?—I frequently meet on board ship respectable men, and I have inquired of the captain and of the crew whether those men have received advance notes. I was so struck by their respectable appearance and behaviour, that I wished to know whether they were under the same necessity as the other men to receive advance notes.

3850. When did this occur?—In the docks at Cardiff.

3851. What was the ship doing?—Bound for sea.

3852. And you were addressing the seamen, I suppose, before they started on their voyage?—The seamen were on board the ship, and in the roads.

3853. You were on board with them?—Yes.

3854. You have also stated that the men who get advance notes are the men who are the most liable to be sent on board in a state of intoxication?—Yes.

3855. Is that merely an idea of your own?—Only what I have seen. I have seen them put on board in a state of intoxication by those persons who have had their advance notes.

3856. You say the imprudent, careless men take these advance notes; do you think if a man has a wife and family it is an improvident, careless thing for him to get an advance before going to sea?—I think that is met by the allotment system.

Mr. *Charles Wilson*—continued.

3857. No, that is payable in one or two months?—But is there not a way by which wives are allowed to receive the wages of absent seamen?

3858. That is at the end of the month. Have you not had experience of men who, from illness or shipwreck, or other misfortune, have been totally without money?—Certainly.

3859. Then how do you propose to get those men to sea without an advance-note?—You refer to their clothes?

3860. If they are without money, and owe money, how are they to repay it?—Do you ask the question about how they are to be clothed?

3861. How they are to be clothed and pay the money they owe?—I have propcsed that the captains should keep stores for the purpose of supplying the clothes in long voyages, but where they owe money for lodgings, which is unpreventable, I certainly would suggest that a clause should be introduced to allow the captain to pay such necessary expense for them out of the wages due to them.

3862. If men do not want advance notes they are not obliged to take them?—No.

3863. Then is there, from your personal experience, any occasion to treat seamen like children in everything?—We know they are children.

3864. Is that likely to raise their moral tone?—In this particular matter we know they are great children, and we really have to treat them in some such way.

3865. You say seamen are improving?—Yes.

3866. In spite of the advance note?—Yes.

3867. Perhaps that is in some measure attributable to the means employed by societies like the one you represent?—Yes, and the encouragement given them to save their money by putting it by at the Sailors' Home or at the Board of Trade banks.

3868. Is not that a more reasonable way to try and raise their tone than all this legislation?—That is done already, and is improving them so far as it goes.

3869. You say you have not heard of an owner refusing to pay his men, but, at the same time, you have known a great many cases of seamen being drunk; owners refusing to pay wages is, therefore, a very exceptional thing?—Yes.

3870. You were asked, if an owner supplied bad food, should he be subject to arrest and imprisonment; do you think he would richly deserve it?—Where they do it wilfully I should think they do.

Mr. *Gourley*.

3871. With reference to the bad food, the honourable Member for Stafford asked you several questions, from which one would draw the inference that bad food was very often supplied to our seamen; have you ever heard seamen complain of their food at Cardiff, the place with which you seem to be particularly acquainted?—I have heard them in the roadstead complain, and I have also sometimes, I say it with sorrow, heard the captains themselves complain that the food that has been put on board was not what they would like to give seamen.

3872. Put on board with the knowledge of the owners?—By the ship's husbands.

3873. Is it not a fact that you have often to complain

Mr. *Gourley*—continued.

complain of the food supplied you by your own butcher or baker; does he not often send you tough beef and so on, and you immediately complain and say, "That is bad food?"—Yes.

3874. With reference to the advance notes, you said you had been on board vessels where you found some not in the receipt of advance notes; have you any return of the number of sailors in the foreign and coasting trade who did not receive advance notes, distinguishing between the coasting and foreign ships; have you any returns which you can place before the Committee stating how many vessels in the foreign trade and how many in the coasting trade have come within your knowledge as sailing without advance notes?

Mr. *Gourley*—continued.

—I could not give such a return because I have not taken notes of it.

3875. *Is* it customary to give advance notes in the coasting or in the foreign trade?—In the foreign trade. In the coasting trade I do not think advance notes are given.

3876. Why are they not given in the coasting trade?—I am not prepared to say; they did not go for long voyages.

3877. Is not the reason this, that the men engaged in the coasting trade are generally married men, and married men prefer short voyages rather than long voyages; is not that a fact?—Yes.

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Commander WILLIAM DAWSON, R.N., called in; and Examined.

Commander *Dawson*, R.N.

Chairman.

3878. WHAT office do you hold now?—I am now Secretary to the Missions to Seamen's Society, 11, Buckingham-street, Strand.

3879. To what do you attribute the evils of paying-off?—It is the large sums withheld from some merchant seamen until paid off, that gives rise to crimping. Crimps do not besiege seamen who allot their wages monthly, or who receive their wages in frequent and therefore small payments. Crimps employ agents at the outports to give warning of the arrival of foreign-going sailing ships, the wages of which have been withheld for long periods. Many crimps still board London ships before the crews leave. On Friday, 22nd March 1878, many crimps were on board vessels in the London and St. Katherine's Docks. One of them was sentenced at the Thames Police Court, on the 27th, to two months' hard labour for assaulting a dock constable. The neighbourhood of the London shipping offices swarms with crimps, preying upon those merchant sailors whose employers have withheld their wages for many months. At Bristol two chaplains, two Scripture readers, and a layhelper of the Missions to Seamen Society, work on an organised system to forewarn foreign-going merchant sailors of the crimps, and to escort them safely through the dangers of that port. But so long as some of the sailors have 20 *l.* to 80 *l.* wages kept from them and from their families by their employers, and then handed to them in lump sums in the very vilest purlieus of vile mercantile seaports, when surrounded by ruffians, so long must the efforts of chaplains, Scripture readers, and police, fail. The delay between dimissing the crews from their ships and formally releasing them from their engagements, is from one to five days, at the end of which time sailors must present themselves personally in the vilest locality in the country. During these days the men are penniless and without food, lodging, or fit clothing. The supply of these necessaries is the excuse for the crimp's vocation. Some captains make up all the charges against their crews before their ships arrive in port, and get the men to sign them to show that the accounts are correct. By a very simple arrangement of accounts, all captains could do what these few do. Then the crews could be paid off on board their ships, in the presence of a clerk of the marine superintendent, within an hour or two of arrival in dock. Cases in dispute might be reserved for the marine superintendent's personal

Chairman—continued.

investigation; but all the rest of the crew could be placed in omnibuses or cabs alongside the ship, and taken straight away to the railway station, without touching the ground within the crimping area. Clause 19 of the Bill makes it the interest of the employer to expedite the payment, without compelling him to do so; and Clause 22 might be made to admit of seamen being paid on board their ships if the recommendation of the Social Science Association to the President of the Board of Trade were adopted, viz.: "The Committee would, however, desire to see the mode of paying off seamen (specified in the Bill) amended, so as to admit of their leaving the port immediately on the ship's arrival, after receiving the part payment provided for in Clause 20, without its being necessary for them to attend at the superintendent's office to sign the release. This might be effected by the following amendments of Clause 22, sub-section 4, line 4; after the word 'seamen,' insert 'either at the time of receiving the part payment on account of wages before leaving his ship under Section 20, or;' and in line 7, delete 'to accept a portion of his wages,' and insert 'or his deputy, if paid on board ship,' and at the end of the sub-section add, 'and the seamen to be released.' The disgraceful scenes incidental to paying off are unknown to the Royal Navy, to merchant steamships, and to the coasting trade; they are mainly due to the custom in the foreign-going sailing trade of withholding the wages from the men and from their families for long periods, thus producing large accumulations of money, which are paid at the very worst time and place.

3880. Would you propose any other mode of more frequent payment of wages for the advantage of long-voyage merchant seamen and their families?—Seamen have a right to their wages, either after the day's work, or the week's work, or the month's work. For the employer to keep the workman's wages for 6, 12, or 24 months, till they accumulated to 20 *l.*, 40 *l.*, or 80 *l.*, is a gross injustice. This iniquity it is which gives rise to crimping. Crimps do not lay in wait for men-of-war's men, for the crews of merchant steamers, or of coasting vessels: it is only the long-voyage sailing ships, in which wages are withheld from seamen and their families, accumulated in the employers' hands, and handed over to the crimps on paying off. No other class of skilled workmen with votes for Parliament would

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would endure to work for 12 months or more without touching money, or being allowed to allot any portion of their back earnings to wives, families, or others; employers having the interest of workmen's money so accumulating in their hands; turning the workman adrift, far from home, without food or lodging, and keeping them without a penny of his accumulated wages, for periods varying from one to five days. If the voting artisans who build the ships would not endure this injustice, why should the voteless workmen who manage these ships when built, be legally subject to such pecuniary disabilities. The labourer has a right to his hire. The Social Science Association have communicated the following suggestion on allotments to the President of the Board of Trade:—"The Committee are also of opinion that if greater facilities for allotment of wages were afforded to merchant seamen, it would conduce much to the comfort and welfare of their families and dependent relatives; and by not leaving so large a balance of wages to be received at the end of the voyage would diminish the present evils on paying off. Much advantage has accrued in the Royal Navy from the large powers of allotment allowed in that service, and from the system of frequent payment of wages both in the Royal Navy and in short-voyage merchant ships. These benefits might be secured to the mercantile marine generally if the following additional clause were inserted in the Bill: 'Seamen shall be entitled to allot at least one-half of their back wages monthly to a relative or Government savings' bank, provided that there be left in the employer's hands at least one month's wages if the ship be engaged in the Atlantic trade, or two months' wages if the ship be engaged in the Pacific trade, the balance of wages in the employer's hands to be subject to be mulct of the cost of a necessary telegram stopping payment in the event of the death or desertion of the seaman.' In addition to the persons entitled to sue upon an allotment note under Section 169 of the Merchant Shipping Act, 1854, it is recommended that a similar power be extended to the manager of the Government savings' bank in whose favour an allotment note is made. At present the majority of the various crews are not allowed to allot, and of the minority who are so allowed, their allotments are frequently stopped by the employers after the ship has sailed, on trivial and illegal grounds. Employers who do not give allotments discourage married men and family ties. Much pauperism and misery to sailors' families arise from this withholding allotments, and the best evidence that allotment notes are not generally given is the large sums due to seamen on paying off, and the prevalence of crimping, which does not exist at all in the Royal Naval ports, or wherever wages are paid frequently and therefore in small sums."

3881. The system which you have alluded to in the Royal Navy is a recent one, is it not, by which seamen in the Royal Navy can receive their wages monthly and pay into savings banks on board the ships?—The scale of monthly payments to seamen and others is based on the principle of allowing them the full amount of their wages and permanent allowances, after deduction of a margin to cover charges for clothing, &c. *e.g.*, an A.B., with 1*s.* 7*d.* per day, or 28*l.* 17*s.* 11*d.* per year, receives into his own hands

Chairman—continued.

12*s.* per month if he allots, and 1*l.* 10*s.* maximum allotment=2*l.* 2*s.*; or, if he does not allot, he can receive 2*l.* 2*s.* as monthly payment out of about 2*l.* 8*s.* 2*d.* wages. Or, a 1st class petty officer, with 2*s.* 2*d.* per day, or 39*l.* 10*s.* 10*d.* a year, receives into his own hands 15*s.* per month if he allots, and 2*l.* 5*s.* maximum allotment=3*l.*; or, if he does not allot, he can receive 3*l.* monthly payment out of about 3*l.* 5*s.* 11*d.* wages. Every quarter, the whole residue of wages is paid, but those who allot have to leave in hand two months' allotment if serving abroad, and one month's if serving at home. Seamen and marines may allot to relatives and other persons. In order to prevent the risk of loss to the Crown, a sum equal to one month's allotment at home, and to two months' allotment abroad, is always to be retained in hand where payments of full pay are made. The rate of allotment is about five-eighths of the whole wages, and of the monthly personal payments about two-eighths of the wages, leaving a reserve till the end of the quarter of one-eighth. More than one half the men-of-war's men entitled to allot, viz., those above boyhood and serving abroad, do so. About 17,000 men allot, monthly, about 320,000*l.* per annum. The others receive the amount, which they might allot, into their own hands monthly. The Ship of War Savings' Banks had 7,694 deposit accounts, amounting to 103,874*l.* 18*s.*, open on 31st March 1874. Seamen and others who have not received a monthly payment on account, may be allowed one month's payment as an advance, before the ship proceeds to sea, though not actually due. But this is very seldom done, and not generally asked for.

3882. I understand you not to propose an exact copy of that system in the merchant service, but to suggest that the very great evil of a large accumulation of wages being paid in sums, as you say, of from 20*l.* to 80*l.* in a lump to a seaman on his arrival in port, could be got rid of by the alteration of the 169th section of the Act of 1854, enabling the allotment note not only to be made to the wife, or sister, or relations specified in that section, but also to a seaman's own account in a Government savings' bank in England?—Not only enabling it, but making it compulsory on the employer at the request of the seaman.

3883. That is to say, that if a seaman, in making his agreement with the master, says, "I stipulate that one-half of my wages shall be paid monthly by allotment notes to my own account, in a Government savings' bank," the master shall not be able to refuse?—Yes.

3884. At present, if a seaman was wise enough to make such a stipulation, many masters would refuse?—Yes.

3885. And do refuse?—Yes, and after the ship has sailed, on frivolous pretences, the allotment, though promised, is frequently not paid.

3886. Of course a seaman arriving in the middle of crimps and prostitutes with 70*l.* in his pocket, is pretty fair game, and it is for them that the crimps look out?—They do not think of men without money.

3887. Do not the seamen have the enormous advantage, in the plan you suggest, not only of securing a very large part of his earnings safely in a savings' bank, but also of deriving interest on that money during the interval?—Yes.

3888. I presume you do not in any way propose

Chairman—continued.

pose that a seaman should be deprived of his right to claim his wages if he so pleased, but you say that if the seaman is provident enough to propose this plan, masters should not be able to refuse it?—Quite so. The man should be quite at liberty not to make the agreement to allot half his wages if he so wished.

3889. And in your former proposals about paying wages down on discharge, you do not propose to deprive a seaman of the right of receiving wages if he chooses, but you propose that he should have the option, if he likes, of receiving a few shillings to get home, and leave his account to be settled by the superintendent?—Yes.

3890. What is your opinion as to the advance note?—The advance note is only one portion of the question of paying wages. To withhold the customary advance of unearned wages, without providing for the speedy payment of their money, when duly worked for, is likely to be fraught with much hardship to the families of respectable seamen. The advance note is frequently given to wives and mothers, who pay heavily for getting them cashed, through boarding masters, if they cannot get them cashed by a clergyman as a favour. The advance note also helps to provide an outfit. If seamen could insure half their wages being paid monthly, after they are earned, advances of unearned wages would be less necessary. Make the allotment of half wages monthly compulsory on the employer, and then the advance note may be dispensed with.

3891. Compulsory on the employer if he is asked, I suppose you mean?—Yes, if he is asked.

3892. That is to say, it is not to be compulsory on the seaman to have an allotment note?——

Mr. *Gorst.*

3893. No advance would come to a seaman in the Royal Navy when he originally joins the service?—No, the old custom was, when the ship was about to proceed to sea, one of the last things done was to pay a month's advance.

3894. When a man ships himself for the first time in the Royal Navy he gets no advance whatever?—No. Monthly payments of seven-eighths the wages have entirely superseded the payment of advances altogether.

Chairman.

3895. This Bill proposes to deal with neglect to join a ship as a breach of contract; do breaches of agreement occur on the part of employers also who do not receive seamen on board at the time agreed upon?—I am told that cases of considerable hardship occur from the men coming down to their ship with their chest and with their bedding, their money being all expended, and they being under the idea that they are going to sea. When they arrive at the ship's side, from some necessary reason, the ship cannot sail. The men have then to go back, and between the time agreed upon and the time when the ship sails, they have to find themselves food and lodging. I am told that this is the cause of a great deal of hardship to the men. I venture to put this before you, because there are two sides to every contract.

3896. Is not the owner bound to pay for that?—He is bound to pay the wages, but not for food and lodging, and the men are already out of money, expecting to go to sea.

Mr. *Gorst.*

3897. Pardon me saying that you are wrong there, the owner is not only bound to pay wages, but also to provide board and lodging?—I am speaking of what actually does occur. The men do not receive payment for the board and lodging, and there is considerable complaint about it.

3898. You have no statistics beyond individual cases?—No.

3899. Perhaps you will give us some individual cases?——

Chairman.

3900. Can you give us an individual case illustrating your last answer?—I have not got one with me, but I think I could lay hands on an informant who could send me one.

Mr. *Gorst.*

3901. But you make a very serious charge against the shipowners?——

Mr. *Ashley.*] Not a serious charge at all. Everybody is liable not to have a ship ready at the time he wishes.

Witness.] It is a matter of fact, within the cognisance of everybody, that wind will blow in the wrong direction, and ships cannot go to sea at the exact time, and considerable hardship does occur if the men are obliged to go back to live at their own expense in a neighbourhood to which they do not belong.

Chairman.

3902. Have you any opinion upon the question raised by the 4th clause, as to the necessity of treating seamen differently from other workmen while they are still ashore by criminal proceedings for neglect to join their ship?—My reply would be that we are contemplating doing away with the advance note, which is no doubt one of the great means of getting the crew placed on board their ship. I think it would be unwise, whilst doing away with one means of getting them on board the ship, to weaken the disciplinary clauses of the Bill at the same time, and as far as I can gather, the opinion of merchant captains generally is, that that clause would weaken their power of getting a crew on board.

3903. In expressing that opinion, have you considered whether the civil proceedings which are proposed to be substituted for the criminal proceedings, which criminal proceedings are exceptional in the case of seamen, and different from those applied to all other workmen, would not be equally effectual in deterring seamen neglecting to join?—I am not competent to give a useful answer upon the subject, for the simple reason that I am not very conversant with the distinction between civil and criminal law.

3904. Suppose the proceedings to be civil proceedings before a county court, so that a man who had neglected to join could be sued for breach of contract, and could have costs given against him, and being unable to pay costs, would have to go to prison, do you not think that that would be equally deterrent to seamen neglecting to join as the fear of criminal proceedings, which in like manner, but more rapidly, send him to prison?—As I understand the case at present, men are got on board by the fear of criminal

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Chairman—continued.

criminal proceedings and by the assistance of the advance note, and I think the cases are very rare in which any man is sent to prison for not joining his ship. What an employer wants is to get the man on board, and if he cannot get him on board it is not worth the employer's while, I take it, to sue the seaman either criminally or civilly; therefore, whatever breaches of contract occur in that way, the shipowner will not prosecute, as it is not worth his while.

3905. But supposing that civil proceedings were equally effective with the criminal, do you not think it would be a most unjustifiable proceeding that criminal proceedings should unnecessarily be inflicted upon a seaman as distinguished from all other workmen, supposing civil proceedings would be equally effective?—If there has been no evil shown to exist under the present circumstances, it is a great pity to raise in the minds of people an idea of a new grievance that did not exist. I am speaking with all submission, but so far as any information goes, I never heard of such a case. It is a sentimental grievance amongst landsmen, but I never heard of it among ship captains.

3906. Do you not think it must be more or less degrading to a service that young men joining it should be exposed to criminal proceedings for a breach of contract which is treated civilly with regard to all other workmen?—I must say I have a very strong objection to sending respectable young men to herd with criminals in prison. In the Royal Navy we have, within the last few years, found it necessary to have special naval prisons, so that our young men should not be sent to herd with criminals even when they have committed very serious offences; therefore I would naturally be against any process which compelled respectable young seamen to herd with criminals. On the other hand, discipline is essential, and must be maintained.

3907. You allow that a very different discipline is necessary after seamen have joined a ship and began duty than before?—There is one thing not to be lost sight of. The risk to a ship, especially a merchant ship, which has very few hands, is very much enhanced if, at the last moment, the captain is obliged to take anyone he can find, instead of a good seaman whom he has picked out for the purpose. The risk to human life, as well as the risk to property, is very great, and it is the risk to human life in which I take the most interest.

3908. Cannot you conceive a man engaged on some great engineering work, engaging a number of individuals to carry it out, and those individuals suddenly deserting him at the commencement of the engineering works, and so as great difficulty and injury resulting as in the case of ships?—If such an evil existed, it would be necessary for Parliament to step in.

3909. Supposing you went to a colliery at which an accident had occurred, and engaged 100 navvies to release the men who were buried in the mine, and those individuals suddenly deserted, and they were without any fixed home or place where they could be found, would not that be causing as much danger both to life and property as a crew deserting?—But in that case the public opinion of their comrades and their neighbours is on the side of that which is right and proper, and would set things right without the action of law. Unfortunately in the question we are now discussing, and I say it with regret and sorrow, the evils we are dealing with are greatly due to the employers of the men, and the public opinion of seamen is not in favour of maintaining the contract in this particular point, and as the public opinion fails, the law is obliged to step in.

Chairman—continued.

3910. Supposing the public opinion of the country, as freely and fully represented in Parliament, refused to allow any longer criminal proceedings against seamen for breach of contract, do you think it would then be impossible for masters to get their crews on board?—No.

3911. You think they would still be able to?—Certainly.

3912. So that if Parliament was to take the view that criminal proceedings ought not to be taken exceptionally against seamen, still masters could get their crews on board?—Certainly.

Mr. *Gorst*.

3913. You remember the time in the Royal Navy when the present system of monthly payments was not in force?—Yes.

3914. Ships were paid off at Portsmouth, and Plymouth, and Chatham dockyards?—Yes.

3915. In those times was there the same sort of disgraceful scenes witnessed on the paying-off of the men of a man-of-war that are now witnessed with regard to the merchant ships after a long voyage?—The same; and I go further and say that at the beginning of this century, so far as I have heard from old officers, the merchant seamen were in a higher moral and physical condition than the man-of-war's men; they are now lower, and I say the improvement in the men-of-war's men is due to the improved rules and regulations of the naval authorities, and specially in connection with the matter of paying. The immoral condition of merchant seamen, I say it with all respect, is due to Parliament and to the employers. In many employs if you go to the shipowners they speak nothing but good of the men, and if you ask their seamen they speak nothing but good of their employers. If you go to other employs you find the employers speak in a very unsympathetic way of their seamen, and that their seamen speak equally badly of them.

3916. In fact, some employers who employ a low class of seamen treat them like dogs?—There are some employers who manufacture a low class of seamen. Many of the seamen come to them respectable lads, and they are manufactured into bad men.

3917. You attribute the improved condition of the Royal Navy very largely to this system of regular payment of wages monthly in comparatively small sums?—I attribute it very largely to the frequent payment of wages necessarily in small sums.

3918. And the man who now joins the Royal Navy at the time of joining receives no advance whatever?—None whatever.

3919. And no wages are paid to him until he has earned them, with the exception of the month's advance, when the ship goes to a foreign station?—It is not paid, but may be paid.

3920. I need hardly ask you, but it is a very fatal occurrence in life when a man is first sent to gaol; a man who has never been in gaol, and a man who has been in gaol once, are two very different persons?—Yes.

Mr. *Gorst*—continued.

3921. Have you ever heard of the system of sending a fisher boy apprentices to gaol for absence from their ship?—I have heard of it, but have not gone into the question.

3922. Do you think, if possible, it is a great thing to avoid sending a man to gaol at all?—I think so. I may mention that in the Royal Navy where they have, unfortunately I think, almost abolished flogging, it was one of the great reasons that I thought flogging was beneficial, that it enabled us to deal with young men and boys by punishing them off hand for serious offences without sending them to herd with criminals.

3923. And you think the man or boy less degraded by flogging than by being sent to gaol?—Certainly.

Mr. *Ashley*.

3924. I do not think they have done away with flogging?—Practically, they have.

Mr. *Gorst*.

3925. They have not done away with flogging for the young boys, not even practically?—Of course they get a caning, but I am speaking rather of the severe offences. I happened myself to be concerned in a particular case of saving a boy from going to prison; I saved him by persuading the captain to give him a flogging, and I believe I saved him for life. He would have been ruined if he had gone to prison.

3926. The offence of desertion from Her Majesty's Navy you are, perhaps, aware is defined, "Absenting himself from his ship with an intention of not returning to such ship, or who, being absent without leave, does an act which shows that he has no intention of returning to his ship;" are you aware that that is the definition of desertion?—I suppose it is.

3927. There is no definition of desertion in the merchant service, is there?—I am not sufficiently conversant with the voluminous Acts of Parliament connected with the mercantile marine.

Mr. *Bates*.

3928. You say that the present delay in paying wages is objectionable, and that captains ought to pay wages at once?—Yes.

3929. What do you mean by that?—My meaning is explained very accurately in the 19th clause of the Bill, not that the shipowner shall be bound to pay seamen their wages within a certain number of hours or on a certain day, but that it shall be his interest to do so as quickly as possible.

3930. Did you ever command a merchant ship?—No.

3931. Of course, you are aware if a ship arrived, say on Saturday night, it is utterly impossible to pay the wages till Monday?—It may be so.

3932. Could it be otherwise?—You might arrange to pay on Sunday morning, but the Bill now before the House does not fix any time; the 19th clause simply makes it the interest of the owner to do so as soon as possible.

3933. I think you will find they can pay at once on legal discharge?—"A seaman's wages shall be payable when he lawfully leaves the ship at the end of his engagement, and until they are paid the seaman shall continue entitled to receive the same wages as if the engagement were not ended."

3934. Then if a seaman arrives on Saturday night he is entitled to his wages on Sunday or Monday?—Yes.

Mr. *Bates*—continued.

3935. That is what you mean?—Yes.

3936. Do you think it is possible to pay sailors' wages immediately they arrive?—I think it is.

3937. Your experience is that allotment notes are not often given?—Not given as a rule. In fact, they are seldom given, except men are married.

3938. And you would be surprised to hear that there is hardly a ship sails on a long voyage where there are not a good many allotment notes given?—Possibly, but there are a good many men on board.

3939. Thirty-five?—But there ought to be 35 allotment notes.

3940. The young men as well as the married?—Yes; however young, they have earned their wages and ought to have them, either in their own hands or in the hands of friends. We want no nursing, but plain justice.

3941. You say that a young man should be given an allotment note; to whom would that allotment note be made payable?—To whom he liked. I limit it to relatives and a Government savings' bank.

3942. You would not allow him to pay it to his friend that he has on shore?—Personally I would; I believe there might be difficulties in such a course. However, as I said before, I limit the payment of half wages to relatives and the Government savings' banks.

3943. But still your individual opinion is that it should be to anybody he likes?—My individual opinion is that when a man has earned his wages, he is entitled to it, and nobody else should be allowed to pocket them.

Mr. *Charles Wilson*.

3944. Is he compelled to take the allotment note?—His employers are compelled to give him the allotment note if the seaman asks for it.

Mr. *Bates*.

3945. How is the balance of wages paid in the Royal Navy?—Every quarter.

3946. I am talking now of a ship that has been out twelve months?—Then there cannot be more than the little balances of three months; because every three months she is what is called paid down.

3947. But I am talking of men 12 months at sea?—They will only have the residue of three months' wages to come.

3948. Do they take it on board the ship?—They take it on board the ship, before they leave the ship.

3949. They put it into savings' banks on board the ships?—Not necessarily; they may put it in their pockets.

3950. When they arrive they get that money?—Yes, but it is a very small sum.

3951. They may have it in their possession?—They may have it in their possession, or it may have been paid into the savings' bank, or sent by post-office order to friends.

3952. But if they have it in their possession they can carry it on shore?—Of course it is their own property to do what they like with.

3953. Where do they receive the remaining three months?—On board the ship.

3954. Suppose a ship's crew belong to Devonport, and she pays off at Chatham or Portsmouth, which

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Mr. *Bates*—continued.

which I think very often occurs, do the men get the balance of wages there themselves?—They get the balance of the wages before they leave the ship, and there is an omnibus alongside arranged by the captain, and they can go straight to the railway station with their traps.

3955. Then what I have heard of creditors complaining that the sailors generally get their money away from their families, and often spend it away from home, is not true?—So far as ships of war are concerned, I think it is wrong. They spend money in the railway journey. If the ship was paid off at Chatham, and they have to go to Devonport, there would be a great loss, and all the greater because they only receive a small sum.

3956. Then of course the sailors on board Her Majesty's ships who are paid off are all good, sober, men; never get drunk or get into mischief, or go to low lodging-houses, but go straight home?—I think you are a near neighbour of Devonport, or ought to be one, and crimp houses are almost unknown there; and lodging-houses of the character we are speaking of are almost unknown.

3957. I am now talking of a ship paid off at Portsmouth, and the men belonging to Devonport; are they entitled to receive their money in cash?—They are entitled to receive their money in cash on board the ship, and they do receive it in cash.

3958. And those men never get into trouble; they always take it direct; is that what you mean to say?—I do not say anything of the kind. I say they rarely do, but the getting into trouble is a matter for themselves. They are of full age, and competent to deal with their own money without being nursed. We do not provide nurses for them.

3959. You merely provide means for their saving money on board the ship?—But when they leave the ship they can have the balance and go home.

3960. They can draw out from the savings' bank if they like?—Yes.

3961. At whatever port the ship pays off?—Quite so. The man has got the full charge of his money after he has earned it.

Mr. *Gorst*.

3962. As a matter of fact, what do they do with their savings' banks?—As a matter of fact they leave their money in the savings' bank. It is like the Post Office savings' bank. The deposit is transferred from one ship to another; it is put to the credit of his account in the next ship he joins.

Mr. *Gourley*.

3963. The paymaster hands it over, and the account is transferred to his next ship?——

Mr. *Bates*.

3964. At the same time he can demand it if he likes?—Quite so.

3965. You say that sailors in Her Majesty's Navy only get one month's advance if they want it?—If they want it they may, but it is very rarely asked for, and seldom paid.

3966. Is there such a thing in the Royal Navy as giving a man two months' pay, or rather what is equivalent to two months' pay, slops, out of the chest, as they call it, to pay them?—Men receive slops out of the chest whenever they require them.

Mr. *Bates*—continued.

3967. A man can claim to the extent of two months?—I do not think there is any rule of that kind; the general order is that he is not allowed to run into debt.

3968. You are not aware that when one of Her Majesty's ships is sailing, a sailor can ask and receive clothing out of the ship's chest to the amount of two months' pay?—I do not think there is any limit of that kind.

3969. Can they receive anything at all?—They can.

3970. They are then on board the ship?—Yes.

3971. And, therefore, there is very little fear of the men running away?—No, there is the same danger as elsewhere, because of course the men have leave to go on shore. A ship of war is different from a merchant ship, because she may be in port before sailing, perhaps for weeks, and the men go on shore every night, and could run away if they liked.

3972. Suppose a sentry on board one of your men-of-war saw some of your men trying to go ashore without permission, what would he do?—I suppose he would give the alarm, and a boat would be sent after them.

3973. I suppose you are aware that merchant ships do not keep sentries with fixed bayonets?—Yes.

3974. You have stated that you think the wages of a ship's company ought to be paid monthly?—Yes, at least half the wages.

3975. How do you propose to do that?—I propose to do it by making it compulsory on the employer to pay into a savings' bank, or to the man's relative, as he may desire, one-half of his wages monthly, leaving the other half to meet contingencies on board.

3976. In other words, you would have an allotment note?—A compulsory allotment note of half wages.

Mr. *Gourley*.

3977. I think the witness stated before that he would not make the allotment note compulsory; he would leave it optional?—Compulsory on the owner or employer to give it at the request of the seaman. At present it is optional on the part of the employer to give it or not; and it is also optional on the part of the employer, after the ship has sailed, to withdraw it.

Mr. *Bates*.

3978. Suppose this system of yours was carried out, what would be the consequences; suppose a ship was lost a week or 10 days after sailing, and the owners heard nothing of it for, perhaps, six months, which often occurs, how would you do then; would the allotment notes be going on the whole time?—I think provision might be made to meet exceptional cases of that kind.

3979. I want to know what provisions you would make?—The provision that is suggested is, that the two months' wages in the employer's hands may be mulcted of the cost of the telegram home announcing the loss of the ship.

3980. But supposing that telegram was not received for six months after the loss; I do not know what the law is now with reference to wages stopping?—The moment after the ship is lost.

3981. I suppose you could stop the payments in two or three months?—No, some ships are seven or eight months on the voyage, and the ship may be totally lost.

Mr. *Bates*—continued.

3982. If you receive news of a ship being lost you must be able to receive it at some civilised place within four months?——

3983. I beg to differ from you in that respect; I know, unfortunately, from experience, that it may not be so. You may be six months and not know; you may be seven months and not know? —That occurs under the present system of optional allotment notes.

Chairman.

3984. Wages would cease, would they not, by law, in the case supposed, from the moment the wreck took place?—Yes.

3985. Then the settlement would be when the seamen made their claim, whenever they might happen to come home?—Yes.

3986. And the allotment notes, of course, would not run longer than the wages, namely, to the time of the wreck?—I took the trouble to go to the Deputy Controller of Navy Pay yesterday to inquire what was the loss to the Crown in consequence of that arrangement, and I find that the Crown does not lose by the present arrangement in the Navy, which is two months' allotment; and it follows that I propose nearly double the precaution for the mercantile marine that is suggested for the Royal Navy; it is equal to two months' pay, whereas, in the case of the Royal Navy, it is only equal to little more than one month's pay in hand.

Mr. *Bates.*

3987. Suppose a ship leaves Liverpool, or London, for Japan, and she is lost, and those men have all got these allotment notes, which say, represents half wages, and the ship is lost within a fortnight after sailing, and the news is not brought to the owners until she is, perhaps, two months' over due at the port she is bound to, how would you manage the allotment notes which would be paid in the meantime?—Half wages allotments might cease four months after the ship was last heard of; and any further risk might be met by the insurance policy containing a clause, which covered the shipowner's loss by granting allotment notes to the families of sailors who had been drowned in his ship. The risk is so exceedingly small that the underwriters would hardly increase their charge.

3988. That is your notion of it, is it?—Yes.

3989. I do not think it is necessary to ask you anything about Clause 4, because if I understood you right, you said you thought the law was better as it is than we propose by the Bill?—That is my impression.

3990. I think you will admit that desertions in the Navy is not near so likely to take place as desertions from a merchant ship?—Desertion in the Navy was formerly far more rife than in the merchant service.

3991. I am talking of the present time?—At the present time desertion in the Royal Navy is not so rife as in the merchant service, because the men are better treated than in the mercantile marine.

3992. Although they flog them?—Yes, although they flog them.

3993. I did not understand you to positively say that you objected to Clause 4; what I understood you to say was, that if we did away with advance notes it would not, in your opinion, be desirable to weaken the power the owners and captains now have of getting the men on board?—Yes.

Mr. *Bates*—continued.

3994. If advance notes are not abolished do you think that seamen should be treated differently from other classes of workmen in the sense of being liable to arrest without warrant, and sent to prison for breaches of contract?—Seamen now are under exceptional laws; unfortunately for them they are not under the common laws of the country; you may drown a seaman, or do what you like with his life, there is no medical certificate of death, and no inquest, unless the body is recovered, embalmed, and brought to England. Nobody necessarily calls you to account unless it can be proved that there is some property lost, and if the law takes so very little care of the man's life that it does not investigate the cause of his death unless property is involved, that is the strongest view I can give of the loss to the seaman by not being protected by the common law of the country. It is exceptional legislation from beginning to end to which the sailor is subject, and therefore this is simply one branch of the exceptional legislation.

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Mr. *Gorst.*

3995. As a matter of opinion would you do away with exceptional legislation altogether?—No; with reference to the question of discipline, there must be exceptional legislation, because the discipline on board ship must be prompt, and must be severe; the captain of a ship has very great difficulty in the present day to maintain discipline, and I am sorry to say that the present Bill does not strengthen his hands in the matter of discipline as I think is necessary, so that I quite agree with the necessity of exceptional legislation. What I do object to is that seamen of the mercantile marine should not have the benefit of the common law when serving under the British flag in all circumstances in which life is concerned.

Mr. *Burt.*

3996. Then I gather from that answer that as far as practicable, at any rate, you would put the seamen under the common law, and dispense with exceptional legislation?—So far as practicable, if I could get him under the common law; I think you could dispense with a good deal, but exceptional legislation must be for disciplinary purposes, because the discipline which must be maintained for the safety of everybody on board is peculiar to a ship, and is not so absolutely necessary in the case of people on land.

3997. Do not you think that this power of arrest and taking the seamen on board by force, is a power that is liable to great abuse, and is, in fact, very greatly abused at the present time?—I have not heard of any case of abuse of it, and speaking entirely from a seaman's point of view, so far as my knowledge goes, I do not think any abuse has ever occurred.

3998. We have had it given in evidence here by shipowners, by captains, and others connected with the mercantile marine, that it is quite a common and every-day occurrence for seamen to be taken on board in a state of absolute drunkenness and helplessness?—That is unfortunately too true, but it is quite a different thing from their being sent to prison; they are taken on board in a friendly way; there is a friendly compassion in the matter. The runners of the Board of Trade, or someone else, takes them by the shoulder and takes them on board, but that is quite a different thing from taking them before a magistrate

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a magistrate and sending them to prison. I do not think there is any fault to be found with that as far as the seaman is concerned; I do not think he has any reason to find fault with that.

3999. I suppose it is very important that seamen at the commencement of a voyage should be in a fit state for attending to their duties as regards the safety of the rest of the crew?—Yes.

4000. Do not you think that it is only fair to the better class of seamen, to the more sober and steady portion of them, that men in a helpless state of drunkenness should not be taken on board totally incapable of performing their duties?—No doubt it is a very mischievous and wrong thing that he should be in that state of drunkenness, but having entered into an agreement, it is a question for the captain to determine whether he should take him on board, and keep him until he is fit to perform his duties. But I do not think that is a grievance which the sailor can complain of. What he has to complain of is, his being put into that state, which is frequently not his own fault.

4001. Are you in a position to give any opinion as to whether the advance-note system tends in a great measure to demoralise the seamen, and to bring about this system of drunkenness that we deplore?—My impression is that a great deal of the demoralisation of the mercantile marine is due to the mode of payment; the advance note is a part of that mode of payment. I am adverse to doing away with the advance note, unless a *quid pro quo* is given. If you do away with advance votes without compelling the employer to give him part of his wages at the end of the month, you are simply making a present of a portion of the wages to the employer for the whole term of the voyage; and I think he makes quite enough out of seamen's wages now. The advance note at present is a very great benefit to the respectable man, to his family, and to those who are dependent upon him; and I do not think his family ought to be robbed of a small part of the wages. When the law is altered so as to secure the seaman control over half his earned wages every month, I would say do away with advance notes at once.

4002. I was very glad to hear the proposal you made, and I wish to ask whether, in your opinion, if that law was put in force the moral condition of the seamen would not be likely to be so much improved that we would be in a position to place them on an equality with other workmen as regards breach of contract?—The change in the mode of payment has been such an immense moral advantage to the men of the Royal Navy that the men of to-day are quite a different style of men to what they were 30 years ago. The same causes ought to produce like results, if applied to the whole of the mercantile marine. The demoralisation of a section of the mercantile marine, for it is only the foreign-going sailing ships we are talking about, is, in my judgment, clearly due to the present mode of payment.

Mr. *Bates.*

4003. Inward?—Inward and outward, taking the whole payment of wages together.

Mr. *Burt.*

4004. According to your recent experience, have you found it necessary to bring a great number of seamen on board in a state of drunkenness?—There is, no doubt, a great many so brought on board.

Mr. *Burt*—continued.

4005. I mean in connection with the Navy?—Oh, no; in the Navy it is a thing of the past; the alteration of the mode of payment is such that we have now in the Royal Navy the best-conducted and the most intelligent body of working men in the whole country; that change has taken place, I was going to say, almost within my own memory, but whereas in the beginning of the century the merchant service was far superior morally and physically to the Royal Navy, now the conditions are reversed, and one of the great causes of moral improvement has been the mode of payment.

Mr. *Gourley.*

4006. I should like to put the question again, as to how you account for the difference in the moral condition of the merchant seamen at the present time as compared with the moral condition of the men in the Royal Navy; I think I understood you to say, that the moral condition is better now in the Royal Navy than among merchant seamen?—I spoke of a portion of the merchant seamen, the merchant seamen who man our great steamship companies, or our coasters, are prime well-conducted men, you cannot desire better. What we are dealing with here now are men in the foreign-going sailing ships, and comparing them morally, and therefore physically, with the men of the Royal Navy, it is just the difference between black and white.

4007. I think I understood you to say that 30 years ago the seamen of the mercantile marine were better than the men of the Navy?—Certainly, at the beginning of the century they were, from all the evidence I can get; I am now referring a good deal to what was written by Franklin in the last century, who bore testimony to the men in the Queen's ships being more diseased and suffering from other moral and physical causes than the men of the merchant service of his day.

4008. How do you account for the falling off or the deterioration in the moral status, and I suppose you mean also the physical status of the merchant seamen in the foreign trade?—I advisedly did not use the word "deterioration."

4009. The demoralisation?—Deterioration means at some preceding period they were better, but I do not think so. As compared with the preceding period I say they are better, but not so much better as they ought to be.

4010. How do you account for the falling off in the moral status?—Chiefly by the wrong system in which their wages are withheld from them, and the wrong times at which the accumulations are paid to them.

4011. You do not think that the abolition of the apprenticeship system has anything to do with it, because I suppose at the beginning of the century the system of compelling owners to employ a certain number of apprentices was then in existence, and boys were apprenticed for seven years to the sea; whereas at the present moment any man can resort to the sea, whether he be a broken-down tailor, a baker, or anybody else; he can present himself as an A. B.?—I am not one of those who think former days better than these. In the present day you have a great number of foreigners in the mercantile marine; and I am sorry to say for our own credit that they are some of the most respectable men connected

Mr. *Gourley*—continued.

nected with it. You have got that foreign element to take into account, and, looking at the question as a whole, I believe the mercantile marine is better now than in the days we are speaking of; notwithstanding I quite agree with you that apprenticeship was a great advantage.

4012. You think under an improved system, such as you have suggested, of compulsory payment of allotment notes, the moral condition of the seamen will be very much improved?—That is my belief, based on the experience of the Royal Navy, of merchant steamers, and of coasters, and it is with that object that I take the matter up.

4013. I rather like the suggestion you have made with reference to these payments by allotment notes, but whom would you make the receiver in the absence of the seamen?—The manager of a Government savings bank, or a relative.

4014. They have the option of handing over the notes to relatives now; would not you make the shipping master the receiver?—My notion is to make the manager of a Government savings bank the receiver.

4015. You said that one cause of demoralization was the payment of wages at the end of the voyage in the vilest of localities, what did you mean by that?—I mean that shipping offices in most mercantile ports that I am acquainted with are to be found in about the vilest locality any man can go to.

4016. Would you approve of having shipping offices in different localities from that in which they now are?—What I should like would be for the men to be paid, if possible, on board their ships; if not, that there should be subsidiary offices in different parts of the docks, to which the marine superintendent could send his clerks. If he has not got enough clerks let him have a few more, so that the men shall receive their wages on board the ship or close to the ship. If there is any disputed account it might be reserved and taken to the marine superintendent for adjudication.

4017. You would approve of a change in the system of payment of wages to this extent, that the owner shall be at liberty to settle with his seamen on board his ship?—Yes. If I might be allowed, I would read the Report which I hold in my hand, of the Committee of the Society for Improving the Condition of Merchant Seamen, which sat in the year 1867, and which had amongst its members the Marine Secretary of the Board of Trade, several shipowners, and a number of persons connected with shipping, besides captains of the Mercantile Marine and the Royal Navy. In that Report this suggestion occurs: "It is considered that the untold miseries to which seamen and their families are exposed from the crimping system are mainly attributable to the delay which arises between the discharge of the crews and their payment; it is, therefore, recommended that pay clerks be attached to shipping offices, in whose presence the men should receive the portion of their pay legally due to them. In all cases a shipping office should be situated conveniently near to each dock, &c., at which the crews should receive their pay, and if the seamen wish to go home, the pay clerks should send the remaining pay and papers after them; but the men must, of course, sign provisional receipts to show that they have no objections to make to the charges." That was agreed to without protest by all the Members of the Committee in 1867.

Mr. *Macdonald*.

4018. You endorse that?—Yes.

Mr. *Gourley*.

4019. Were the members of the Committee seafaring men?—They included Mr. Norwood, a shipowner who must be well known in the House; Mr. Mark Whitwell, and several other shipowners; Thomas Mackay, Esq., who is connected with the shipping interest, and captains of the Mercantile Marine and of the Royal Navy.

4020. Can you state, from your own knowledge, how the crimps are supported; are they supported primarily by the seamen?—Crimps are a certain class of lodging-house keepers, a certain class of tailors, and a certain class of other tradesmen, who employ runners to go on board the ships, and to bring people to them under the plea of supplying them with clothes, lodgings, storerooms for sea-chests and bedding, and the necessaries of life.

4021. Is it not a fact that the great bulk of the people who conduct the business of crimping are publicans, and that these publicans find board and lodging and drink, and everything else which men require; and seamen, as soon as they come from a long voyage, resort to those places, and thus, being supplied with drink, spend their wages?—I am told that the most active crimp in Bristol is a Jew clothier, who employs runners to go on board the ships to get hold of men on the plea of supplying decent shore-going clothes, and they employ other satellites, no doubt; but the head of the firm is a Jew clothier.

4022. Is it not also the fact that these Jew clothiers are very often found to be in partnership with publicans who live close by?—No doubt.

4023. I do not know whether you know the neighbourhood of St. Katherine's Docks; but there you have the Sailors' Home where the seamen are shipped, and immediately in front of the home you have half-a-dozen public-houses, and a large number of Jew clothiers, and those are the men, I understand, who do the crimping?—These men would have no trade at all if the men had not got an unusually large quantity of money in their pockets more than they ought to have. A working man ought not to be deprived of his accruing earnings till he receives 80 *l.* wages in one lump; it is perfectly improper.

4024-5. What means do you suggest for getting rid of these Jew clothiers and publicans?—Leave them alone, and take care that the men have not got large sums of money in their pockets. Starve the crimps out. Pay off the men quickly, and do not compel them to live in the neighbourhood, and so you would not make the Jew clothier and the Jew lodging-house keeper, and the rest of the crimping fraternity, a necessity, which they are at present. Take away the necessity and you take away the evil.

4026. One of your suggestions was to send the men off in an omnibus?—That would be done by private exertions. You give us the facility by which private agency can operate, and we will take care of the rest; but so long as the House of Commons arranges that their earnings shall be withheld during the voyage so as to accumulate in the employer's hands, and that the men shall be obliged to remain in the worst locality in the world for two or three days, the friends of seamen are perfectly helpless.

4027. You think that if the men were paid the

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Mr. *Gourley*—continued.

the money which was due to them at the end of the voyage with great dispatch——?—If the money was less, as it would be if every man had a monthly allotment of half wages, and if the residue was paid to them with greater dispatch, there would be no crimping, for there is none in the like case of the Royal Navy at the naval ports, or in the case of merchant seamen belonging to steamers or coasters who are paid frequently, and therefore in small sums, at Liverpool or London.

4028. Are there any crimps to be found in Portsmouth or Devonport?—No, they are unknown. Men-of-war's men do not know who they are or what they are.

4029. Is not this the fact, that in Portsmouth, which is a naval port, there are more public-houses to the number of inhabitants than in any other port in England?—I do not know how that is; but I know that if I walk the streets of Portsmouth and then come up to the east of London, the difference between the two places is something amazing. The streets in the east of London are full of drunken people, and diseased people, whom you can see walking about masses of disease; but if you go to Portsmouth you will find the streets most respectable now, compared with what they were in my young days, and Devonport also.

4030. Is it not the fact that you have in Portsmouth public-houses which were started specially for the entrapping of young midshipmen in connection with the navy?—The streets have not now drunken men or drunken women rolling about, as you find them in the east end of London, and as was the case in my young days.

Mr. *Ashley*.

4031. I think you are aware that in this Bill there is, as yet, no provision for doing away with advance notes?—Yes.

4032. You understand when one talks of making advance notes illegal, that would not interfere with any cash advances?—Of course not.

4033. If you made the advance notes illegal, would the effect be that cash advances to a smaller amount than the present note would only be given to a select class of seamen whom you could trust?—That would be the result.

4034. You are an advocate for doing away with the advance note?—Providing I got an extension of the allotment system, but not otherwise. A man ought to be able to provide for his family when he goes to sea. His only object in going to sea is to work for their bread.

4035. But the advance note is never more than two months at the outside?—That is better than nothing, when the rest of his earnings are withheld from him and his family, and a man comes home with perhaps 80*l.* due to him, while perhaps his family have been starving.

Mr. *Corry*.

4036. In what trades are the men likely to have 80 *l.* wages?—When they come home sometimes from the West African trade, or the Pacific trade. Sometimes ships leave England to carry cargoes out to the East Indies; they go across to Australia, and perhaps across to the Pacific, and they are sometimes absent from England for two years.

4037. From your experience, can you tell the Committee that a ship which leaves England, and goes so long a voyage as that brings many of the same crew back to England?—I believe that there are often frequent changes of crew, but the fact remains that numbers of men do come home with this money due, for if the money was not in existence there would be no crimps.

Mr. *Corry*—continued.

4038. But I want to know, from your experience, whether you can inform the Committee that of a crew leaving England and going such a trading voyage as you describe, there would be many men who would come back in the same ship?—A considerable number of men are paid off with large sums that are due to them. The voyages must be long to have such sums due to them, whether to Australia, the Pacific, or the West Coast of Africa. They must have gone long voyages, and have been in the ship, or else such an amount of money would not be due to them.

4039. Would you be surprised to hear that if a ship goes from England to Calcutta, and from Calcutta to New York, the man must be paid off in New York?—But that does not answer the question of a ship that does not go to New York.

4040. But it is one of those trading voyages. If you send a ship out from England, even to Pensacola, in the Southern States of the United States, the crew can demand their wages there, and are not obliged to come home in the ship; because the law of the United States is, that if the crew of a British ship demand their wages there they must be paid off, no matter what agreement they make in England. What is the average rate of pay for seamen in the Royal Navy?—An able seaman receives 1*s.* 7*d.* per day, or 28*l.* 17*s.* 11*d.* per year; a first-class petty officer 2*s.* 2*d.* per day, or 39*l.* 10*s.* 10*d.* per year. But besides that net sum, they receive extra allowances of pennies and twopences per day for good conduct, and various extra professional attainments.

Mr. *Gourley*.

4041. They are victualled free?—Yes.

Mr. *Corry*.

4042. I want to know what the average wages for an A. B. in the Royal Navy is per month?—2*l.* 8*s.* 3*d.*

4043. Would you be surprised to hear that the average wages in the merchants' service is 3*l.* to 3*l.* 10*s.*?—No, I should not be at all surprised; but you must remember, that what we call an A. B. in the Royal Navy is simply a young seaman. If he has any skill, and is of good character, he becomes a petty officer, and the proportion of petty officers is very large; so that if you take the average payment of men in the Royal Navy, I do not think it compares so badly with the merchant service. You must also remember that the men in the Royal Navy are entitled to pensions; and, moreover, they have 12 months in their year. If, for instance, a man has been 20 years in the service, he has 20 years wages; but at the same time I think the wages are low, and unduly low.

4044. With reference to the payment of wages periodically, which you approve of, do you not think there would be any difficulty with reference to unmarried men?—In what way?

4045. In having part of their wages paid to some unknown person?—The proposal is, that the half wages are to be paid either to a relative or to a Government savings' bank.

4046. Suppose

Mr. *Corry*—continued.

4046. Suppose it is paid to a Government savings' bank, as soon as he comes home, what is to hinder him drawing it out?—Why should he be hindered?

4047. Then he would have the money to spend?—Why should he not? Is he to have a wet-nurse? I claim the right to expend my money in whatever way I like.

4048. I want to know the difference between the man being able to take that money out of the savings' bank and being paid on his arrival home?—There is a very great difference. The money being in the savings bank he need not touch it. But when he has it paid to him in large accumulations, in the very vilest locality, at the very worst time, surrounded by ruffians, he does not know what to do with this accumulated wages, because he is not accustomed to monetary transactions; whereas, in the other case, he can take it out in any amounts, at any times, and at any places he likes.

4049. But are you not aware that connected with every shipping office there is a system of deposits, whereby a man can deposit wages, and receive it at any port he goes to?—I am quite aware of that.

4050. So that at present there is that facility. A man being paid off now at the shipping office can deposit a sum of money with the superintendent, and draw that money in Greenock, or Belfast, or any other place?—I know all that; but the result is that the crimp gets the accumulated wages, and if the money was not there, the crimp would not get it. Might I answer your question with reference to wages on the coast of Africa by an actual case which I have mentioned in an article in "Frazer's Magazine" on the 1st December 1875. "As we write, the Missions to Seamen reader at Bristol who maintains an unequal daily struggle with crimps, reports that the barque 'Carioca,' of Bristol, arrived at that port in July from the coast of Africa, and was duly paid off, in this fashion: A 'runner' from the crimp's boarding-house boarded the 'Carioca' on arrival and carried off a young man, to whom no less a sum than 48 *l.* was due as accumulated wages. At the expiration of three days the whole earnings of 12 to 16 months had been filched from him. £.28 were charged for three days' board and lodgings, &c., 10 *l.* for a paramour, and 10 *l.* more were lost (?), leaving the sailor penniless, unable to go to his home, and obliged to go to sea again for bread. Yet the magistrates of Bristol refuse to convict runners boarding ships on arrival, notwithstanding that the Board of Trade appoints a constable to put the law in operation. The real fault is, that a working man earning 2 *s.* to 3 *s.* a day should be deprived of his wages until they accumulate in his employer's pockets, to the extent of 48 *l.*"

Mr. *Macdonald.*

4051. In answer to a question, you said that when paid on board the ship, the man was paid down in the Royal Navy, and when he came into port he was paid off. You were again asked the question, if it was customary for seamen to receive slops from the slop-chest to the extent of two months' wages. Suppose the seaman receives from the slop-chest clothing to the amount of two months' wages, that would be all settled up at the end of three months, and he would not be in debt, because the general order is that he is not to be in debt?—Quite so.

Mr. *Macdonald*—continued.

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4052. At the end of every three months, therefore, as a rule, in the Royal Navy, the seaman is clear?—He is entitled to receive a certain sum of money, but he does not receive that sum, because he is in debt. He is supposed to receive 2 *l.* 2 *s.* out of his wages a month if he is an A. B.; but if he is in debt he does not receive anything, and at the end of three months his account with the Crown should be square.

4053. When a seaman is paid off, you say he receives the balance of his three months' pay. If he leaves and joins another ship, does he require an advance note in order that he may have an outfit; get a new pea-jacket, and boots, and that kind of thing?—No, because he carries a complete kit with him.

4054. And without an advance note, when he rejoins his ship, he must have that re-fit with him?—Yes, and of course he can get additional clothing from the new ship; but the additional clothing would be comparatively small.

4055. After he has joined the ship?—Yes.

4056. So that the system which has been adopted promotes providence among the seamen on board and on shore?—That is entirely the point.

4057. You have spoken about what was the condition long ago, and you have been asked questions respecting it. Long ago the custom was to pay off the men after three years' cruise, or five years' cruise?—Yes.

4058. When the men were paid off at the end of three years, or five years, they received large sums of money, larger than you have referred to, in the merchant service?—Yes.

4059. Have you heard that that money was often spent in a night?—The arrangement was made then by the authorities to squander that money, as quickly as possible in vice, in order to get rid of the money. The ship came in at a certain time, and was not paid off for a certain number of days, or weeks, during which time she was filled with prostitutes from one end to another, and turned into a Pandemonium, and the seeds were laid for the crimping system to be carried on after she was paid off; so that the men might get rid of their money as quickly as possible, and be compelled by their poverty to go on board another ship, which was waiting for her crew. That is, as I understand, the system adopted in a large section of the mercantile marine at the present time.

4060. The system that existed in the early part of the present century, in the Royal Navy, produced exactly the same state of things as exists in the mercantile marine now?—Yes.

4061. The Jew is rather an old enemy of the seaman, is he not?—Yes.

4062. Your firm conviction is, that the improved mode of paying seamen's wages monthly, and clearing at the end of three months, and not allowing large sums to accumulate at the end of the cruise, has had a beneficial tendency upon the character of the Navy?—Yes.

4063. And you would like to see such a system extended to the mercantile marine, believing it would produce a similar effect?—Yes, as far as possible.

4064. You were asked about flogging the boys; while flogging is abolished, a little starting still goes on?—I believe so, but it is done legally, under proper safeguards.

Captain HENRY TOYNBEE, called in; and Examined.

Captain *Toynbee.*

29 March 1878.

Chairman.

4065. PERHAPS I may ask you generally, what suggestions you have to make to the Committee about this Bill?—I have made a few notes, and if it suits you, I will go through them. The 4th clause, where you seek to bring the seaman under the common law, I think is a mistake. I would not take away the summary power of forcing men to join. I was 33 years at sea, first as midshipman in an East Indian merchant ship, then as apprentice in a small ship, and lived in the forecastle; lastly, as commander of an East Indian passenger ship; and I never remember a sailor suffering from this, but I have known him gain by it, and I can tell you cases. It is a common thing, when the ship is waiting upon tide, for the crew to be ordered on board at a certain time, before the ship is quite ready. Their friends are with them, and I am sorry to say the public-houses are always handy. They go out of the dock gates for another glass, and if we had not the power of taking a dock constable or petty officer and saying, "Now, come along on board," we should loose a good man.

4066. Do you call that arrest without warrant?—I suppose it is, really.

4067. What you want to preserve is, the power of an owner, either by runners, or by what we call persuasion, to get such honest men from the place where they are indulging, and take them on board?—Yes, and next day they thank you for it.

Mr. *Gourley.*

4068. You do not want an Act of Parliament to authorise you to put your friend to bed?—The new clause seems to me to imply that if the sailor likes to proceed against you for seizing him he can do so.

Chairman.

4069. And if you take a drunken man home and put him to bed, he might bring an action against you?—I do not know; I never knew a case of proceeding against a sailor for not joining; the only trouble is, he does not come, and nobody pays any attention to him.

4070. Then your opinion is, that neither criminal nor civil proceedings are necessary?—That is my impression. If we lose these good men, although they are drunk at the time, we are obliged at Gravesend to take in anybody we can get. I remember one case of a man who had been two voyages as a stoker, and he shipped as an able seaman. I stopped his grog until he got to the royal-yard, and he did not get to the royal-yard before arriving in Calcutta.

4071. If crews could be got on board without criminal proceedings, do you think that criminal proceedings, especially in the case of young men who have just joined the service, are very objectionable?—Of course criminal proceedings are objectionable in all cases where they can be avoided. I do not know of any case of this kind which resulted in sending a seaman to prison.

4072. Did you never know of a case of criminal proceedings against a man for neglecting to join his ship?—Never.

4073. The proposal of the Bill is, that after he has joined the ship, the discipline should be

Chairman—continued.

continued, but that before he joins, he should be treated as a workman breaking his engagement?—In Clause 13 the words are; "A seaman or apprentice to the sea service, who assaults an officer of his ship, shall, at the discretion of the court," &c. I never found in any Act of Parliament what a captain was to do on board ship when a sailor misbehaved. You gentlemen on shore never tell us what we are to do with a sailor before arriving in port. We can produce him before a court on arrival on port, and then we can act, but no legislation ever tells the captain what to do on board the ship, and he is in the most difficult position in the world.

4074. He has the power by common law, not by statute law, to exercise absolute authority?—It will be well to tell him clearly what his powers are.

Mr. *Gourley.*

4075. But if you gave him certain statutory powers, then if he acted in the slightest degree in excess of them he would be guilty of an illegal act, whereas under the common law he does what seems right to himself?—That may be right; I certainly did, and succeeded, but the Act does not even tell us this fact. A man who is not told what he may do is liable to do something very wrong. I think it would be well to give us the limits of what we might do, and to advise us to keep well within them. I quite agree with what has been said with respect to giving the seaman part of his pay at the time of his discharge; it was my practice. I always got the owner of the ship to send me down some money, and gave the seamen 2 *l.*; and if the Government had not required that seamen should be paid before shipping masters, I should have allowed them to go home and sent their money to them; but as legislation has been found necessary, and no doubt special legislation is very necessary, I think it would be well if you would make it so, that the sailor can receive part of his pay at the time when his ship arrives in dock and go home, his remaining pay to follow him.

4076. It does provide a certain sum?—It does; and I have heard that the question has arisen as to how the captain is to make out the accounts. I always had the accounts made up and signed by each man before we entered the dock. We took care that he got no more slops after he signed, and his account was made up. There can be no difficulty on that point; but, under the present circumstances, it often happens that the married sailor, with the best intentions, is caught by circumstances, and never goes home at all.

4077. What do you mean by saying that he cannot get home?—He has to remain three days for his pay under the worst of influences, and his pay is spent before he gets it.

4078. According to your plan he could go home?—Yes.

4079. If this scheme that you have brought forward is carried out, the shipping offices will provide a superintendent to go on board of the ship and see that the sailor gets his pay and signs a release and gets a notice where the rest of the money is to be sent to him by post office order?—Yes; it has been objected that this would be difficult

Mr. *Gourley*—continued.

difficult at times; but generally there would be only a few of the crew who would require the money to be sent to them. It would be the few who live in different ports, and it could be very quickly done.

Chairman.

4080. Tell us the words which you propose to insert in the 22nd Clause which would carry out your views?—Page 10, line four, "If the seaman;" now comes the alteration, "either at the time of receiving the part payment on account of wages before leaving his ship, under Section 20, or at the time of his discharge," &c., then I would go on after, "in the presence of the superintendent (7th line) or his deputy, if paid on board ship."

4081. Do not you propose to omit those words at the end of the paragraph?—No; "to accept a portion of his wages, and" would be right. Then line 11, "and the seamen to be released," after the word "agreement."

4082. The insertion of those words would carry out your view?—Yes. Then in Sub-section 9, line 32, after "Superintendent of a mercantile marine office," insert the words, "or his deputy."

4083. Are those all the alterations?—All the alterations in Clause 22; but at the end of the clause I would add "The seamen should be entitled to allot at least one-half their back wages monthly to a relative or a Government savings bank."

4084. Your proposal on that subject is the same as Captain Dawson's?—Practically it is. There is one further note that I have made at the end, it is "Allotment notes being made compulsory if the seamen wish for them, advance notes should not be granted." Perhaps I may say that in 1866 and 1867 I worked very hard to get the Government to start a pension and life insurance fund for seamen, to be managed at shipping offices. I saw Sir Stafford Northcote, when he was President of the Board of Trade, and I know the tables were being calculated; but it has never been started, although it would be an immense advantage to seamen and their families.

4085. We stopped evidence upon that subject from several other witnesses, and I am afraid we cannot go into it; those, in fact, are the points upon which you can give us your opinion as to how the Bill might be amended?—Those are the points.

4086. Is there any other point in the Bill that you wish to give an opinion on?—Nothing else.

Mr. *Bates.*

4087. How long have you been at sea?—Thirty-three years.

4088. Calcutta and Bombay chiefly?—Calcutta, Madras, and Australia.

4089. You were a master for 20 or 30 years?—Eighteen years master.

4090. In one employ?—I was master in Messrs. T. & W. Smith's employ.

4091. You think the 4th Clause is a mistake?—I think it is not wanted.

4092. You think that the law as it now stands is quite sufficient?—I really never found any difficulty.

Mr. *Gourley.*] The witness's evidence rather was that the law as it at present is, is never put in force.

Mr. *Bates.*

4093. I think your own words were, "The 4th Clause is a mistake?"—I may have said so, but the drift of it was that it was not wanted.

4094. You think the law as it now stands is what it ought to be, and we cannot dispense with it?—No law that I am aware of is put in force in that case.

4095. The law as it now stands, which is that if a sailor refuses to join his ship he can be taken by the policeman, you say you never knew it put in force?—I never knew a case in which a sailor was put in prison for refusing.

4096. I quite agree with you; but at the same time do you not think it is necessary that a shipowner or master of a ship should have the power, if he sees his men either on the dock side or anywhere else, and perhaps a little drunk, of taking them on board, as you say, by persuasion?—Yes; I think that is right.

4097. I think you always came home to London when you were master?—Always.

4098. Therefore your owners were on the spot?—They were.

4099. And as a matter of course you did not carry a large sum of money with you at sea, but got it from the owners when you arrived?—Yes.

4100. But suppose you had gone to Greenock, what would you have done then for money if you had not it yourself?—I should certainly have had some agent there who would have had a sum of money waiting for me to make the necessary payments.

4101. You say you always made out an account for your sailors on board, and got them to sign it; I suppose you mean to say that that contained the number of months and days he had been on board your ship as a sailor earning wages, and you deducted any money you had given him in Calcutta for a bum-boat, or for any clothing or tobacco that you supplied him; you always put that on the opposite side, and he signed it?—Yes.

4102. Suppose that man had an allotment note for his wife and family, how would you get at that?—If I were going to Glasgow I should suppose that the owner would have a letter there waiting for me, to let him know how much he had advanced; he would know my destination.

4103. But is it usual for owners to send these accounts until the captain arrives to receive them?—He might write and tell me that he had advanced so much, and if I was out, so much longer he should advance so much more.

4104. How long would you take to make out the accounts of your crew, supposing they all had allotment notes, and the very day you arrived another allotment note had been paid in London?—Up to a certain date accounts can be prepared, and the pay for odd days can be added in a few minutes. I should act on my owner's letter. If he said so much had been paid, I should enter that statement in the man's account.

4105. Suppose the very day you arrived another one was due, and he paid it?—I should expect him to say, "If you arrive on such and such a day I shall have paid another allotment note." I expect the shipowner's letter would quite clear me of any doubt on that point.

4106. Then, the fact is the owner must write to prepare the captain on his arrival, and tell him how much money he is to pay to his crew?—Yes; the owner must, as far as he is concerned, and the captain is responsible as far as he is concerned,

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cerned, and the two together make up an account.

4107. Do you mean to say if a seaman gets his pay he always goes home with it; his inward voyage?—No; as the law now stands I do not think he does. I am afraid he has spent it before he gets it, in a large number of cases. It it that that I wish to see avoided.

4108. And by the allotment note you think you would accomplish that?—I think the allotment note would enable him to provide for his family, and I would give the sailor 2 *l.* on arrival and let him go home at once, sending the rest of his pay after him if he lived at a distance from the port of arrival.

4109. But will he go home?—I wish to give him the power to do so. The superintendent's clerk would be there and would say, "Where do you want me to send the balance to?" And he signs his release there.

4110. But what I wish to know is this: do you mean to say that every sailor you gave your 2 *l.* to when he arrived went home with it?—I cannot say, but I gave him the means for avoiding the crimps.

4111. But you do not mean to tell the Committee that every man you gave 2 *l.* to made a proper use of it; went home with it?—I think you do not quite understand me; as the law now stands, a seaman must wait from three to five days in a port before he can sign a release. I want you to give him 2 *l.* to prevent his borrowing from crimps; to let him sign a release at once, and to let him go home, sending the rest of his pay after him. He must then go home to get the balance, and whilst he is sober on board my ship it is for the man to say whether he will have the balance of his pay sent to his home by a Post Office order or not. If he makes a mistake and squanders his 2 *l.*, at any rate his balance will go home.

4112. If he says he will not do that?—Then he waits until pay-day, and you have given him the chance of not getting into the hands of the crimps.

4113. I think you said if a seaman had the allotment notes as proposed by Commander Dawson, there would be no necessity for an advance note?—Certainly; there are special cases where an advance note would be useful, but, drawing a general line, I should like to see advance notes done away with by law, considering the great evil they do.

4114. You would like to have them done away with provided you could have a substitute?—The substitute being the allotment notes.

4115. That is half the wages for the voyage?—Yes, under special protection for the owner.

4116. Has it ever been your misfortune to have a lot of distressed seamen sent over with you?—Yes.

4117. You did not give them any pay when they were on board; they were put on board by the Government and you got a shilling a day?—Yes.

4118. What is to become of these men when they arrive in England if it is not for an advance note; I am not speaking of an individual case, I am speaking generally; who would take them in if they had not a prospect of getting an advance note?—It would be better for them to go to the workhouse than that the immense amount of mischief that is done to the mass of sailors by allotment notes should be going on; their best plan would be to ship at once in another ship and get slops from the captain.

Mr. *Bates*—continued.

4119. But you must be aware that men arrive in delicate health?—Then they should go to the "Dreadnought."

4120. That is in London?—I am sure you in Liverpool have a hospital to receive men in such circumstances.

4121. Not when they are convalescent. However, you say it would be better for them to go to the workhouse?—Considering the immense mischief that the advance note does, that it supports low characters who live by the sailors' vices, I think the small amount of suffering caused to seamen by going to the workhouse under those exceptional circumstances you mention would be better than keeping on the advance note, unless some better means were provided for him. He would soon get a ship again, and there is always sympathy for sailors in distress.

4122. Captain Dawson said he would do away with advance notes on certain conditions; do you agree with that?—Yes.

4123. Did you give advance notes to your men?—Yes.

4124. Did you ever find good men, men who had been with you many times, come and say, "Please sir, I want an advance note," and did you give him a month's wages in advance?—Of course, it was the custom to give to both good and bad.

4125. Only if they required it?—Only if they required it.

Chairman.

4126. Did they all require it?—I cannot call to mind any man declining his advance note.

Mr. *Bates.*

4127. I have known such cases?—Now you mention it, I think some married men prefer that their wives should get the monthly note a month earlier. Of course, if you give an advance note, the monthly pay does not commence until two months after you sail.

4128. You have known good men ask for advance notes?—Yes.

4129. When you ship men they generally say, "Captain, won't you give us an advance"?—I do not think they did in my time, because they knew I would.

4130. Did you ever know an advance note put to a good purpose?—I have no doubt it must have been.

4131. The men got their kit with it, and what a wife generally provides for him, little nicknacks; have you known that these advance notes have been used in that manner?—I cannot say I have, but I have not the slightest doubt that good men give their advance notes to their wives. There is no question about it, but the evil is so great that any trifling advantage does not, in my mind, counterbalance the terrible vice that advance notes encourage.

4132. What became of these advance notes; when you ship a man and he signs, did your first officer receive his kit, and give you a letter saying his kit was on board before you gave him an advance note?—No.

4133. The advance note very often goes into the hands of the lodging-house keeper?—Yes.

4134. For what purpose does the lodging-house keeper take it?—To pay the man's debts to himself.

4135. And

Mr. *Bates*—continued.

4135. And perhaps to get him a pea-jacket or tarpauling, or a pair of sea boots?—Quite possible; but in many cases at a terrible discount.

4136. And the mischief is that he very often gives the man, I suppose, a few shillings?—Probably.

4137. Is it your experience that the man generally gets a few shillings from the lodging-house keeper or the crimp?—He pays himself any debt the seaman owes.

4138. But is it your experience that the lodging-house keeper generally has a few shillings to give the man out of the advance note?—I have no experience.

4139. If he has to pay his lodging and necessaries, how much can there be left out of one month's advance?—I do not think it generally pays for necessaries; it pays for drink. The advance note men are as liable to come on board destitute as they would be if they had no advance note; I think the advance note does not provide the sailor with clothes in many cases.

4140. He only pays his debts?—Yes. It has often happened that in my ship I have found men with hardly any clothes.

4141. Do you think if this allotment system were carried out he might dispense with advance notes?—I think so.

4142. I suppose you are very well aware that a shipowner would be very glad to do without advances if he could; what is the interest on advances?—I once heard a shipowner say that the interest on the pay of the men for a few days was sufficient to make it worth while deferring their pay as long as possible, so that I daresay the interest on the advance is a good deal.

4143. Suppose a man has 30 or 40 ships, and advances a month's wages to all the crews, the interest would amount to a good sum in a year?—Yes.

Mr. *Burt*.

4144. I suppose you are aware that the general law of the country now is that for breach of contract working men are simply to be treated civilly?—Yes.

4145. Do not you think it would be possible to carry on the mercantile marine satisfactorily on the same principle?—No. I consider that summary action in getting seamen on board ship is really a boon to the sailor himself. It is merely a drunken freak; he knows nothing against his owners or employers, but he injures his shipmates, because if we have 24 able seamen in a ship, and four or five of them do not join, we must get substitutes, and we often get the veriest scum in their place. We must take them; we must go. We cannot detain the ship full of people for days.

4146. I have not any doubt myself that it is an advantage rather than otherwise to the seaman to be got on board his vessel rather than to be left, but you have stated, and your experience on this point is in accordance with nearly every witness that has come before us, that this power of imprisonment is seldom put in force; in fact you went further, and said you never knew a case of criminal proceeding against a seaman for refusing to join a ship?—The evidence of a captain is very little, because he never stops to hear what goes on; he goes with his ship. I do not know that any case of the kind ever happened with my ship, but if you took away the power of putting a fellow

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on board you would do him harm, and you would do his shipmates harm, and I have never heard anybody state a case where it would be good to prevent summary action.

4147. But if, as we are told by nearly every witness that has come before us, the law so far as imprisonment is concerned is practically a dead letter, where is there any benefit in having this power?—In my being able to go from my ship to the public-houses at the dock gates with a dock constable, or couple of petty officers, and to carry off by force those men who are drinking there and say they will not go.

4148. I have no doubt that, as regards all employers of labour, it would be a very convenient thing if they were able to seize hold of a man and drag him to his employment occasionally, but do you think that has an improving effect upon the workman?—There is no doubt it improves the man. Probably he would be left without his clothes, with no money, and would be very sorry indeed; sometimes men follow the ship to Gravesend, and are very grieved at having made such a mistake.

4149. If we abolish this power of imprisonment, would it considerably increase the number of refusals on the part of the men to join the ships?—It would give them legislative power which they have not got now.

4150. Are you aware that since the power of imprisonment was abolished for breach of contract, instead of offences of that kind having considerably increased, as was predicted by employers of labour, they have considerably decreased?—I think the circumstances are quite different. I am speaking of a man who is really very commonly not *compos mentis*. The employers of labour on shore are not dealing with men who are saying good-bye to their friends, and who are full of grief, and taking an extra glass of grog, and acting under very special circumstances, they are dealing with men that they can talk to and reason with.

4151. The circumstances, no doubt, are different, but the deterrent effect of imprisonment is likely to be the same, I should think. Human nature is the same all the world over, and a man on land would be likely to be as much afraid of being sent to prison as a seaman, and probably more so?—I should think the deterrent effect would be much more on land. A sailor often does not think whether he is going to prison or not.

4152. I think you would deplore very much the sending of men to prison; you do not want that power, or you would be very sorry to see that power put in force, out what you do want is the power of influencing men by other means to get them on board the ship to fulfil the obligations that they have entered into?—Summary power to take a dock constable and say, "That is one of my men; bring him on board;" and if I have done wrong, and he is not one of my men, there is plenty of law to defend him, and he ought to be defended; but if I have no summary power to take the man, my crew suffers, and my owners suffer. I want you to give me the power to take a dock constable, or one of my officers, and get hold of a good man who is making a mistake, and save him from suffering for it.

4153. In your experience were the refusals of men to join their vessels of very frequent occur-

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Mr. *Burt*—continued.

rence?—I should think I generally had two or three absent.

4154. Out of how many?—Out of a crew of about 50 men. They would sometimes follow down to Gravesend; probably we had to ship two substitutes. If you would allow me to suggest it, I really think the question to put is, "did you ever know any sailor who suffered from being taken summarily on board his ship before starting on a voyage?"

4155. If I had a sailor instead of a ship-captain to examine I might ask him that question, but I do not suppose you profess to represent the sailors?—It has been my object for many years to improve sailors.

Mr. *Bates.*

4156. I think it is well known that such is the fact, that for the last 11 or 12 years you have been actively employed in improving seamen?—During my spare time. It is the moral improvement of the sailor which will do the country and the shipowner, and everybody else good.

Mr. *Bates*—continued.

Mr. *Burt.*

4157. I entirely agree with you on *that point.* Do you not think that you want to rely more on moral means, and if, instead of having the power to drag men to prison, or to drag them on board the vessels in a state of drunkenness, seamen were treated as other people are treated, do you not think that desertions and refusing to join the vessel would be likely to decrease very much?—I think they are not dragged to prison. Let us have summary power to take them on board ship as long as it is needed. It would not be put in force when it was not needed, and therefore I do not see that you need legislate for it.

Tuesday, 2nd April, 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Sir George Elliott.
Mr. Bates.	Mr. Gourley.
Mr. Bentinck.	Mr. Hamond.
Mr. Brassey.	Mr. Shaw Lefevre.
Mr. Burt.	Mr. Macdonald.
Mr. Corry.	Mr. Plimsoll.
Mr. Dalrymple.	Mr. Rodwell.

THE RIGHT HONOURABLE SIR C. B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Mr. NATHANIEL DUNLOP, called in; and Examined.

Mr. *Corry.*

4158. You are a partner in the firm of J. and A. Allan, Shipowners of Glasgow?—Yes, we are the principal agents in this country of the "Allan" Line of steamers and sailing ships.

4159. How many ships have you?—Thirty-eight vessels, of an aggregate tonnage of 77,666. Of which 22 are steamers, chiefly ocean going, of 56,633 tons, and 16 sailing ships of 21,033 tons.

4160. Have you had any personal experience of the shipping business?—I have been about 30 years engaged in the shipping business, and take an active part in the management of our firm's business.

4161. Do you come here in any other capacity than as representing your firm?—I have been deputed to speak for the Shipowners' Association of Glasgow, which may be said to embrace the shipowners of the West of Scotland.

4162. I suppose I need not ask you if you have examined the Bill?—I have read the Bill before the Committee and, in common with shipowners generally, I view with anxiety the changes it proposes to make in the existing law.

4163. To what particulars do you refer?—I allude to the extension to seamen of the Employers and Workmens Act and the Conspiracy and Protection of Property Act, and of the clauses of the Bill relating to seamen's wages, No. 19, and onwards.

4164. Have you any other objection?—My objections apply mainly to these, but I have some remarks to offer on the discipline clauses. Before proceeding, however, you will, perhaps, permit me to make an observation. Public feeling in favour of seamen has been greatly stirred in recent years, and anyone who seeks to maintain the existing law, which permits summary arrest and punishment for the breach of contract by the sailor, is almost sure to be considered severe and unfriendly to the seaman. I am sensible that in coming here with the object which I have in view, that both I and the shipowners, in whose names I speak, will be exposed to this imputation; but I claim for shipowners, as a class, that they are the sailor's best and truest friends. If shipowners ask the Government to punish seamen,

Mr. *Corry*—continued.

it is to punish the wrong-doer that the best interests of the well-doing seaman and his employer, whose interests are linked together, may be preserved. Besides providing employment for the sailor, shipowners are his most steady benefactors. I do not know that in Glasgow, whence I come, the agencies for the sailor's benefit are sufficient to meet his case; but, before leaving I looked into the reports of the "Seamen's Friend Society" and the "Seamen's Institute," designed to provide for the relief of destitution in seamen's families, education of seamen's children, libraries for sailors, visitation of their families, and religious instruction, and I found that these societies were directed, managed, and maintained mainly by the shipping interest, and I feel sure that this will be found to be the case wherever like institutions are met with in the kingdom.

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4165. Would you kindly state to the Committee particularly what your objections are to the Bill?—Clause 4 provides that a seaman who has not joined his ship or his work shall not be liable to summary arrest, nor shall his offence be immediately punished by imprisonment. The owner may summon him before a court. If he answer, or fails to answer, he may be fined, but, although he refuses to answer, a warrant for his attendance cannot be obtained. This is the law as respects workmen; there are several reasons against it, The offence in the sailor's case is much more serious than in that of an ordinary workman; the remedy is much less easy of application; the offence, in fact, would, in the sailor's case, have no punishment provided for it.

4166. How is the offence more serious in the case of sailors than of other workmen?—The Bill recognises a difference after a sailor begins work, and I maintain that the difference begins before.

4167. You say the difference begins before he begins work?—Yes; an employer of labour ashore does not make with his work-people the same kind of agreement that is made with sailors, and to which I shall more particularly refer. The agreement is seldom a written one with workmen on shore. He is not obliged to have a

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Mr. *Corry*—continued.

fixed number of hands at work on a given day, and the absence of two or three does not throw his whole establishment idle. Businesses ashore have not generally such enormous sums invested in them as are in ships, compared with the hands employed, and in the conduct of the land business the question of the safety of the lives of fellow workmen, and of the property, is not involved as it is in the navigation of a ship. The legislature has marked its sense of the vast difference that exists between ships and establishments on shore by the manner in which it deals with ships. Masters, mates, engineers, and the ship herself are all to be certificated by Government before they can proceed to sea. When passengers are carried in a vessel in numbers amounting to 50 she comes directly under Government surveillance. The ship must sail on the day appointed, or the passengers may claim compensation for detention; she must have a sufficient crew, or the emigration officer will not allow her to sail, he will withhold his clearance; the men, too, must be in good health, and all the food on board approved as to quantity and quality. A first class Atlantic steamer costs about 130,000 *l.*, and her cargo represents a large sum. If she have mails they must not be delayed. The detention of such a vessel must obviously be a very serious matter. Then the crew are shipped in the presence of a Government official, and sign a solemn engagement to perform certain duties. The owner undertakes to provide a seaworthy ship. The crew engagement has a condition for the sailors' protection, that the sailors shall not be less than a certain number. The ship thus cannot sail if she have too few hands, and she has no room or food provided for more than her complement. For these reasons, the offence of breaking the sailor's agreement without sufficient cause, becomes a very different offence from that of a landsman.

4168. In case a seaman does not join his ship at the time of sailing, I presume you can obtain substitutes?—Substitutes can sometimes be got, but it is not the time when a ship is getting under weigh, or when crews are mustered before an emigration officer, to have to look for substitutes. They are besides always inferior men, men without outfit. Skilled, or respectable men cannot be got on short notice, and if any considerable number had to be obtained, as would be the case if this Bill became law, they could not be found. The safety of the passengers, ship, and crew, is involved in the numbers and quality of the crew. It is besides a question for lawyers how far a shipowner is not responsible for the loss of a ship and passengers, if it comes out on the official inquiry that an insufficiency in numbers or quality of the sailors has led to their loss.

4169. You have said that the remedy under the Workmen's Act is less easy of application to sailors than to workmen ashore; will you kindly explain to the Committee your views on that point?—Tradesmen ashore have always homes where they can be found, and served with a summons, and they cannot easily escape the operation of the law, for their business is on land; but the seaman has generally no fixed address; a fine inflicted on him could not be recovered, for he has no property; he is wholly invulnerable as long as his person is protected. He goes to sea under a new name, and escapes all punishment.

Mr. *Corry*—continued.

4170. Have you any other reasons for keeping the law as it now stands?—I maintain there is no sufficient reason for altering it. The number of men who have been arrested and imprisoned for failing to join their ship is so trifling compared with the numbers engaged that they do not deserve the consideration they are receiving. They cannot greatly exceed 1 in 1,000. I have had difficulty in getting accurate statistics for the whole kingdom, but I have obtained reliable figures from Liverpool, Glasgow, and Greenock, and the experience of several leading lines of vessels in the kingdom, including our own, and I think reliable conclusions can be drawn from them. You have had it in evidence that the total number of men shipped in the United Kingdom in 1876 was 192,242. The statistics for 1877 are not yet issued from the Registrar General of Seamen. I assume that the number in 1877 is about 8,000 more than in 1876. In Liverpool 104,468 were shipped in 1877, of whom 181 were prosecuted. In Glasgow we had 22,930 shipped in 1877, and 12 were prosecuted. In London 61,641 in 1877, and I cannot find that any were prosecuted. I have a letter from the Department in London, and they tell me that the punishment of sailors is not common in London, for reasons that will afterwards come out. In Greenock 5,396 men were shipped, and one man was subjected to punishment for not joining. Elsewhere I calculate that about 5,807 are shipped throughout the kingdom; and supposing we allow a similar proportion of imprisonments for these, it will amount to two. I therefore find that 206 men were prosecuted, out of a total number shipped of 200,242. I calculate those are about the figures for the kingdom. From this it is clear that out of 200,242 men shipped, 200,000 odd have no reason to complain of the existing law, for it does not touch them; and it cannot be said to bear hardly upon seamen as a class. If you argue, as may fairly be done, that by putting some 200 ill-doing men in prison for a few days you have removed a hindrance from 200,000 earning bread for themselves and their families, and have permitted the 7 million or 8 million tons of steamship property, of which the British Maritime Navy consists, to carry on its business without hindrance, you will admit that the price is not too much to pay for it.

4171. Could all that you explain be done without the power of arrest and imprisonment?—I think not, and I will show you why. But first a word about imprisonment. I am satisfied that there are many more sailors imprisoned for being drunk and disorderly, than are imprisoned for breach of agreement. I have known as many as nine out of one of our own steamers last season being gaoled in Antwerp, and our whole prosecutions in the same year at Glasgow were one seaman. Sailors consider drunkenness a harmless form of wrong-doing compared with breach of contract, and no one is to be found asking the abolition of punishment for that offence. There are two reasons why men do not join their ships, the chief is drink. But there is a class of men who refuse deliberately and for fraudulent reasons to join. It is a lamentable fact that very many sailors upon the sailing-day are more or less under the influence of drink. They have before them a long period of compulsory total abstinence, especially in sailing-ships, and this, together with the so-called socialities of leave-

taking,

Mr. *Corry*—continued.

taking, and the drinking facilities in the neighbourhood of the shipping, leads them into excesses on the sailing-day. So long as this cause is at work the power of summary arrests and the terror of imprisonment are needed to overcome their inclinations to remain ashore drinking. Men in drink have often sense enough to know that they will be punished if they do not join their ships. Their friends know it, and if the man is near his ship, the friends or the police overcome his scruples and he gets to his ship. If the indulgence be at a distance from his vessel the resistance may not be overcome in time, and so many fail to join. That is the drinking section of the reason.

4172. Are there other causes why men do not join than that of drink?—Perhaps you will permit me, at this stage, to tell you how many fail to join in Glasgow. I would like to speak from the experience of my own firm, and also from that of some of my neighbours. Notwithstanding the powers of summary arrest and punishment, a large number fail to join. I will give you the figures, drawn from my own experience and that of others. In Glasgow, of 22,331 men shipped, 334, or 1½ per cent., failed to join in 1876. In the following year 22,930 men were shipped, and 267, or 1¼ per cent., failed to join. I should explain that the Board of Trade were good enough to direct the shipping office to prepare the statistics for me, and I am speaking from their statistics as regards the total. In Liverpool, in 1877, 104,468 were shipped, and 2,558, or 2½ per cent., failed to join. In Glasgow my firm despatched, in 1876, 28 sailing ships, with crews of 791, and 38, or 5 per cent., failed to join. We despatched 32 steamers, with 1,766 men, and 35, or 2 per cent., failed to join, a difference between steamers and sailing ships of 3 per cent. In 1877 we despatched 16 sailing ships with 399 men, and 10, or 2½ per per cent., failed to join; 27 steamers were despatched by my firm, with 1,347 men, and 22, or 1½ per cent., failed to join. The Anchor Line, our immediate neighbours in Glasgow, had this experience: in 1876 they shipped 7,127 men, of whom 140, or 2 per cent., did not join; in 1877 they shipped 4,941, of whom 125, or 2½ per cent., failed to join. These were our prosecutions: the Allan Line, in 1875, prosecuted two men; in 1876, two men; and in 1877, one. The Anchor Line prosecuted eight in 1875, three in 1876, and none in 1877.

4173. Were these prosecutions all tending to imprisonment?—Yes, and usually accompanied by imprisonment. In Liverpool my experience is this. The Allan Line in 1876 engaged 7,275 men; we have no accurate statistics of the men who failed to join in the stewards' and engineers' departments, but we have it in the sailing department, 167 in the sailing department failed to join; that is 5 per cent. An equal number are believed to have failed in other departments. In 1877 we shipped 7,159, and 91 in the sailing department failed to join, or 2½ per cent. In 1876, and this is a very remarkable piece of experience, the marine superintendent made no prosecutions in Liverpool, with one exception. We had one solitary prosecution in 1876, and the failures that year to join in the sailing department were five per cent. But we appointed a new superintendent, who became more strict, and gave a warning to the men that he would not permit men to sign agreements and break them, and some apprehensions were made, five in all. The result was the failures to join, which had been five per cent. in the previous year, came down to 2½ in 1877. I have shown in the above figures that at Glasgow where arrests and prosecutions are practiced in a very moderate degree, the failures to join for the whole port only amounted to 1¼ per cent. in 1877.

Mr. *Corry*—continued.

Mr. *Dunlop.*

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Mr. *Macdonald.*

4174. Do you include Greenock in that?—No; it is the port of Glasgow only. I can speak of Greenock separately. In London, where arrest and imprisonment are seldom resorted to, because the authorities will give no assistance, the evil is a very serious one and would be much worse in its consequences than it is, were it not for the circumstance that Gravesend is near London, and affords an opportunity to put substitutes on board when men fail at the port of London. The Anchor steamers at London shipped in 1877 1,229 men; and of these 131, or 11 per cent., failed to join. The Smith Line of steamers' statistics given me, do not distinguish between London, Liverpool, and Glasgow; and they combine two years, but I find that of 3,031 shipped, 171, or 5½ per cent. failed to join; and as the average of Glasgow is under 2 per cent., and Liverpool about 2½ per cent., I calculated that to reach 5½ over the three ports, they too must find London about 11 per cent., as the Anchor Line really finds it. I have this morning got a short note from Smith's agency at Glasgow, confirming this estimate very remarkably.

4175. From what you said, you argue that if so large a per-centage fail to join the ships under the existing law, more would fail if the present law were abolished?—Yes; I am satisfied if so large a per-centage of the men engaged fail to join their ship when failure exposes them to summary arrest and imprisonment, much more would they fail if this terror were removed. That the terror has a salutary effect, is obvious from the comparison I have given between ports that prosecute and ports that do not.

4176. Will you tell the Committee about those who have not joined from other causes than drink?—The class of men who refuse deliberately and for fraudulent reasons to join are not numerous, but they are sufficiently so to need the terror of the law to be upheld, and they would increase if it were removed. They are men who get advance notes, and having cashed them, cheat the discounter by not joining, by obtaining another ship and another advance note elsewhere. This class was very numerous in Glasgow some 15 years ago. Owing to the form of advance note then in use, they contrived to make the loss fall on the shipowner; and sailor and discounter then wrought together in this nefarious practice. The sailor joined his ship for an hour or more, and absconded before the ship sailed. The discounter claimed payment of the note on the ground that the seaman had joined. I cured this evil, so far as it fell on the shipowner, by drafting the form of note which I hold in my hand, and which has for about 14 or 15 years been in use on the Clyde. To the honest seaman and honest discounter it is no hardship, for it simply requires fair service in return for payment. When I introduced this note, the discounters held a public meeting in Glasgow to resist its introduction.

Mr. *Dunlop.*

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4177. Will you state whether the note you previously used was the ordinary note with which we are acquainted, and in what respect the new note differs from it?—I do not think you know anything about the old note now. So far as my reading goes the note I have drafted is, practically, the note of the kingdom.

Mr. *Shaw Lefevre.*

4178. The old note is a different one?—This note has been in use 15 years, and it is the note you have had before you in so many forms.

Mr. *Corry.*

4179. What was the old note?—The old note was drawn payable three days after the vessel sailed, provided the seaman joined his ship. The simple joining of the ship constituted the title for the owner paying the holder of the note. Formal joining became the practice by many, and the sailor absconded, and as I have said, the discounter and the sailor connived at this rascally proceeding and the shipowner was seriously the sufferer. This note, which I will put in, and speak to by-and-by, cured that evil, but occasionally the old crime turns up.

4180. What is that note?—It has these conditions. The sailor must sail in the vessel, and duly earn his wages. He must not desert the ship at any port or place in the United Kingdom; absence from the ship, without a regular discharge from the master, being held proof of desertion. The note must be presented for payment before the termination of the seaman's agreement. Should the vessel from stress of weather, or any other cause, put into any port or ports in the United Kingdom, she will not be held to have finally departed on the voyage till she leaves the last of such ports. I designed that to cure desertion from Lamlash and Rothesay Bay, where ships frequently put in.

4181. When is it payable?—Within 10 days after the departure of the ship from the last port or place in the river, or wherever she may be, before finally leaving upon the voyage. It cured that evil. We require that it shall be collected from us before the ship returns; because when we pay the seaman off at the close of the voyage, we can only deduct what we have actually paid.

Mr. *Bates.*

4182. You say that the bill must be presented for payment when it is due?—Or shortly thereafter.

4183. If it is not presented when it is due, and they present it after the seaman comes home and has been paid off, you are not responsible?—You have exactly understood it. Occasionally, as I say, the old crime turns up. My firm's ship Abeona engaged a crew at Glasgow of 25 men in December 1875; four of them failed to join, and the ship was detained at the tail of the bank for substitutes. Our shore-captain went to Greenock for the purpose, and aided by a discounter, four men were got; but he had to grant them each advance-notes for 3*l.* 15*s.* a-piece, on a form furnished by the discounter. On the short notice we could not get substitutes on any other terms. Two of the men after going into a small boat to go off to the sailing ship at the tail of the bank absconded, and the ship sailed two hands short. We were taken into court by the discounter, and had to pay 7*l.* 10*s.*, with costs.

Mr. *Bates*—continued.

The men escaped punishment; we could not capture them. If this Bill were made law, we dare not apprehend them, even if we could find them. Surely such enormous interests as the shipping of this country represents are not to be jeopardised, in order that a few dozens of seamen who make themselves liable to punishment, and generally get less than they deserve, may escape punishment altogether. Recently legislation has provided imprisonment for the shipowner who fails to do his duty. A case lately occurred where one was imprisoned who pled that he failed in his duty solely from want of knowledge, and the present Bill would exempt sailors from imprisonment who deliberately neglect their duty.

Mr. *Bates.*

4184. You allude to that Irish case?—I allude to that Irish case.

Mr. *Corry.*

4185. Do you think the shipping interests require the power of capture which at present exists?—I am very strongly of that opinion.

4186. Are you ever troubled by actions against you on the part of sailors?—We are a good deal; it is a mistake to think that shipowners, even with the powers they possess, can easily punish sailors. I mentioned that nine men got gaoled in Antwerp for drunkenness in one of our steamers. Our pay clerk kept a few shillings off the wages of each man for the loss of his services when in prison, and gaol fees. But we were taken into court at the instance of four of them under the advice of lawyers (seamen's friends), who lay themselves out for that sort of thing, to recover the reduction and expenses. Happily they failed, but I am told that in law they should have succeeded, unless we could prove that we actually employed and paid wages to substitutes. The same lawyers watched for another opportunity and were successful. I shall not trouble you with details, but a feature of the case, as I was afterwards told, was that the sailor was sent out of the way so that the loss would fall on us, however the decision went.

4187. Do you wish the law to remain as it is?—Yes, I very much wish that. I would strike out Clause 4 altogether, and maintain or re-enact the existing law. If you are resolved to apply in any degree the Employers and Workmens Act and the Conspiracy Act to seamen, it should be confined to the period, if there be any, between his lawful engagement and 48 lawful hours previous to the time fixed therein for joining his ship. If you adopt the latter mode, Clause 4 would require the following, or some similar words, added to it:—"Provided that he shall have given notice to the master or owner of the ship in which he has engaged to serve 48 lawful hours before the time fixed by his agreement for joining his ship or beginning work, that he does not intend to fulfil his engagement. Whereupon the master or owner may engage another person in his place, and his doing so shall not bar his claim against the seaman for non-fulfilment of his agreement: with this proviso, shipowners would have time to find substitutes during the 48 hours preceding the actual sailing." And in that way any benevolent feeling one desires to extend, by Act of Parliament, to sailors would be respected, and yet the trade of the country might not be seriously injured.

4188. Have

Mr. *Corry.*

4188. Have you any remarks to make on Clause 5?—I would add the words, "or an advance note" after the word "money," on line 24, and substitute the word "return" for "repayment;" and as fraud needs summary arrest, to the end of the clause I would add, "And the power of summary arrest without warrant, conferred by Clause 7 of this Act upon the master, mate, owner, agent, or ship's husband or consignee, shall apply to this section of the Act, and may be enforced against offenders." The sense I mean to convey will be understood, although the words may not be in legal form.

4189. Will you give the Committee your opinion in reference to Clauses 6 and 7?—With regard to Clause 6, I would begin with the words, "Whenever any seaman who has been lawfully engaged, or any apprentice to the sea service;" and I would delete the first three lines in each to the word "deserts," and I would add the word "agent" after "husband," in line 37. I think "agent" requires to be inserted as well as "ship's husband," to make the clause plain. On page 3 I would strike out the words from "provided" to "happens," contained in lines 3 to 8 inclusive. The ship may be unable to sail or clear without her crew; indeed she can neither sail nor clear without her crew; I would strike that out altogether.

Chairman.

4190. You mean this, to omit the first section on page 3, and the omission of that proviso and the alteration of Clause 6 are the same proposal as doing away with Clause 4?—They are, to some extent. I have been suggesting changes upon Clauses 4 and 6 in harmony with the other changes proposed, to re-adjust the Bill.

Mr. *Corry.*

4191. What about Clause 8?—If the other changes recommended be made, the sentence beginning "Her Majesty's" down to the word "order" should be struck out; that is the whole paragraph.

4192. Why do you propose to omit the second paragraph of Clause 8?—I think I have provided for the conditions under the other clauses, and this question of the "British Possession" which is introduced here with a view to extend the Workmen's Act to British Possessions if, my suggestions upon Clause 4 be adopted, falls as a necessity; it is out of keeping with the spirit of the rest of the Act as I have put it.

4193. Now Clause 9?—Clause 9 proposes to give power to a single man to put in motion proceedings of a most extraordinary character against a shipowner or vessel when he alleges as a justification of his not joining, "want of safety." Surely power to set such proceedings in motion should not be given to one single person, and the punishment for falsely and maliciously doing it should be more than one month's imprisonment. I have spoken in the earlier part of the evidence of the enormous value of a steamship with passengers and mails. This is a portion of my own special business, and if a man who fail to join, alleging afterwards that ship was unsafe, could set in motion such proceedings as these, it would be a very serious business. But there is a peculiarity about this clause that I would like to draw your attention to. If I understand it aright it is out of harmony with Clause 7, page 3, line 3. There you propose to prevent arrest until after the ship has sailed, and Clause 9 provides elaborate means after the seaman has been arrested, and the sailor alleges that the ship is unsafe, to survey the ship, but she is at sea, at this stage of the proceedings according to the Bill and cannot be surveyed.

Mr. *Corry*—continued.

Chairman.

4194. That is presuming there is no mode of getting hold of the sailor except by arrest without warrant?—I think that is inevitable. It is in the event of his being arrested that this provision for survey is made, and arrest according to line 3, page 3, cannot be exercised till the ship has sailed. Then, in the event of a seaman having been arrested, the court is to go into an examination of the ship as to her seaworthiness; the ship has been at sea before that can possibly be done. This apparent error has originated in this way. The existing Act permits summary arrest, and the clause of the Act relating to survey of an unseaworthy ship at the instance of one-fourth of the crew is dove-tailed upon the new Bill, which prevents summary arrest, and the conditions that applied when one-fourth of the crew might set an examination as to seaworthiness in motion, are here to apply when only one man complains. This state of things applied suitably enough under the existing law, but now a single man may do it and he cannot be arrested until after the ship has sailed, thus you preserve the whole machinery applicable to the old law as it formerly stood. I should have no objection to preserve the machinery if you would increase the number of men that may make the complaint, and adopt the other suggestions that I have made as to the power of summary arrest under certain satisfactory circumstances.

Mr. *Corry.*

4195. Now as to Clauses 10 to 15?—I have no remark to make upon these clauses if you think it needful to make the neglect of ordinary duty criminal. After men are at sea, sober and well officered, my belief is that they do not need to have "neglect" made a criminal offence. Insubordination or wilful disobedience, however, if it occurs, should be punished. I fear the effect on ship-masters of this new terror for them. What between Board of Trade inquiries, loss of certificate, loss of employment, and the dread of imprisonment if he fail to set a proper look out by day and night, his is a poor life indeed. I would, not for my own part, as a shipowner, seek to increase the criminality. I have a great respect for the British sailor, who is generally a sober well-doing man after he is at sea.

4196. Now, as to Clause 16?—I have no objections to this punishment as it is described, but I would like it extended to another class of men, and I wish very much the Committee would kindly consider this suggestion. This punishment should be extended to men engaged in loading and discharging ships, and should apply to cargo whether on the wharves or on board. Everybody engaged as a shipowner has a very serious difficulty to contend with in the plundering of cargo by stevedores engaged in loading and discharging ships. Sailors do not now do that duty. This law was the old law when sailors wrought in the discharging and loading of ships, but

Mr. *Dunlop.*

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Mr. *Corry*—continued.

but that section of duty has been transferred to other men, and I would like to see the punishment extended to them.

4197. What have you to say to Clause 19?—That refers to wages. I have a good deal to say about this clause. It is not possible to make up the wages account and to give it to the men on the arrival of the ship. I think it is a mistake to try by Act of Parliament to make a shipowner pay wages for time between the man's leaving the ship and the day on which his wages are paid. So long as wages have to be paid before a shipping master at a mercantile marine office, time ought to be given to make up and settle the accounts. Two clear days are enough for the shipowner. The sailor, I am sure, does not grudge to give the time necessary; and if he is left free to choose between working on board after arrival until his account can be made up, or leaving the ship when he arrives, and getting paid within two days, without claiming wages beyond the date of his leaving, I am sure he will choose the latter. No sailor will remain in his vessel after she is moored if he can leave her, and if you make Clause 19, as it stands, into law, the shipowner will stipulate in all his contracts that the sailors work on board in the discharge of cargo until he has time to pay the wages. The seaman will refuse, will leave, will be liable to punishment, and instead of being benefited, will be injured by this clause. Besides, wages must obey the ordinary economic law. If you enact that two days' pay more than a man works for are to be paid to him, the rate of his wages must be correspondingly diminished, just as the discount of a 90-day bill is calculated at 93 days because of the three days' grace it has in maturing. I would like to explain to the Committee the very liberal method on which sailors' wages are computed in practice. Sailors' wages are computed on a very liberal method, and this method is enforced by direction of the Board of Trade. The day the sailor joins and the day he leaves are counted two whole days to him, although he may join on the evening of the one and leave in the earliest hour of the morning of the other. Then the fraction of a month has 30 as its denominator, and 10 days' pay would be the one-third or ten-thirtieths of a month. Again; the sailor shipping in a short month, say February, receives a benefit; from the 25th of February to the 31st of March, which is in reality one calendar month, would be paid for as one and four-thirtieth part of a month, and if he ships in a long month, say the 31st of March, and left on the 30th of April, he would receive a whole month's pay. A book called "Wilson's Tables," made up on this principle, is used to check the calculation of sailors' wages, and by direction of the Board of Trade is made the rule. For these reasons I would hold to the existing clause.

4198. What about Clause 20 and Clause 21?—I wish to say a word on Clause 20. This clause is the law as it stands at present, with a slight variation; but it is inoperative. The master has no money in hand to pay, and the sailor does not want money while he is on board. He leaves the ship the moment she gets to the wharf. The law at present is, we are bound to pay sailors a proportion of their wages the moment they arrive, but they do not ask it; and I suggest that you should insert the words "if required," in line 40, after the word "shall," and before the word "pay." "When a seaman lawfully leaves his ship at the end of his engagement, the owner or master of the ship shall, if required, pay him on account, &c." No shipowner objects to pay a sailor a little money if he wants it, but do not make it a wrong not to do it if the sailor himself does not wish it. It is a good thing to give the sailors the right to call for the money if they want to go home, because you have machinery in the Sailors' Homes and in connection with banks, by which remittances can be sent after the man if he wishes it.

Mr. *Corry*—continued.

4199. What about Clause 21?—Masters cannot make up sailors' accounts on board ship; it is the work of a skilled clerk to calculate correctly what a seaman has earned. Supposing a man has to compute 7-thirteen-thirtieths of a month, say at 3 *l.* 15 *s.* per month, with deductions, for 40 or 50 men having different wages. There is not a master in a dozen who could be relied upon to do that kind of thing correctly; even educated gentlemen often cannot make such calculations accurately. Then masters coming in channel are often up two nights and days consecutively, the channel navigation is so serious, and they come in jaded and worn out. It is out of the question to compel them by law to have wages' accounts made up ready to deliver to the sailor; it is impracticable. Sailors besides do not want it. I notice, too, that a portion of Clause 21 prevents an owner recovering, in the event of an error in deductions being made in a seaman's account. I cannot imagine why an error made in the man's account when delivered, should not be subject to correction if it happens to be against the owner. The sailor does not wish to wrong his employer, and why should the law step in to do it. Shipowners often return to sailors over-deductions; I have done it frequently. The account should be subject to correction at any stage before it is settled, if it happens to be against the owner.

4200. What about Clause 22?—This has reference to the settlement of wages and what it embraces. In so far as this clause leaves open to the seamen the right to raise questions after he has had his wages settled, it may be right in the abstract, but it would be for the sailor's good that the law remain as it is. When an account is settled with a sailor, practically all claims are discharged; and I think he should be required before he takes his wages, to state his grievance, or he should not raise it afterwards. Sailors are very open to persuasion on the part of lawyers of a certain class, to squander their wages on frivolous lawsuits. I have given two examples of this already in my evidence.

4201. How would you alter the clause?—I would delete the words "relating to wages," line 31, page 9.

4202. Have you any remarks to make on the other clauses of the Bill?—No; the rest of the Bill has been a good deal discussed by men who have been studying that branch of it a little more, and I prefer to make no special comment upon the rest of the Bill.

4203. A good many questions have been asked with reference to advance notes. I would like to ask a little further with reference to that. Perhaps you can give the Committee some suggestion as to your idea with reference to the advance note, whether you think the advance note lies at the root of all the evils that we are told result from the sailor's conduct?—According to

Mr. *Corry*—continued.

to my thinking most erroneous ideas have been formed regarding the advance note. I see some call them unmitigated evils that should be prohibited by law. The evil is not in the advance note but in the sailor and his surroundings. The money obtained for them is often misspent, but so are his wages received at the end of the voyage, and to the improvident and reckless it makes little difference whether the misuse of wages occurs at the beginning or the end. The advance note is the needful provision for the improvident or the unfortunate period. Boarding-house keepers, and others who lodge the sailor or provide his clothes, very properly get a large share of the proceeds of his advance notes; and there are some who prey upon the sailor and get a share dishonestly, but so they do at the end of the voyage when his whole earnings, save his advance, are paid him. The evils brought to light by the advance note are more under the eye of the public when they occur at the beginning than at the end of the voyage, but they are tenfold greater at the end than at the beginning. The advance note has its evils, I grant; it gives the ill-doing sailor an opportunity to wrong the discounter of his note, and it also at the first port of call of his ship tempts him to desert; it operates against the shipowner, but these are the result of a greater evil preceding the advance note, improvidence or misfortune. The advance note is a bill drawn by the shipowner or his agent, payable to the seaman's order. The shipowner ought to be as free to issue a bill or promissory note to whom he pleases as any other merchant, and as free to do it to the man who works for him, as to him who supplies stores for his ship. Shipowners will not give advance notes if they can get their sailors without them. The men who will only ship if they get advance notes, are chiefly, but not always, the improvident or unfortunate, but at sea such men may be good sailors. I have found officers and others, worthy men, who starting on a long voyage need an advance to provide them with their outfit. I have some examples here; I have just taken two ships at random. Here is the "St. Patrick" for Montreal, which sailed on the 20th September 1877; her crew were 25 men, all told. We got on to a good set of men there, and only seven took the advance. We held out to the men that we would give 10*s.* additional to those who did not take the advance. The mate and the cook obtained advances, and these advance notes were presented by their wives; the sailmaker took an advance note, and that was presented by a relation; four advance notes were presented by discounters. Then I have the case of the "Glenifer," which sailed on the 31st December in the Havannah trade, with 24 men on board. All the men took advances, except two apprentices: the mate, second mate, carpenter, and steward's advance notes were presented by their wives, and paid after they sailed; the Sailors' Home presented four, a highly respectable Home, conducted admirably; the rest were presented by discounters. That is the way in which these advance notes work. It seems to me it would be wrong to make it unlawful to grant advances in the only form in which it could be safely done. We give no advances in our Atlantic steamers. We need no legislation to bring this about, and when we can get sailors for our other vessels without them, we always dispense with them there also. Just as I was

Mr. *Corry*—continued.

leaving I gave directions for a crew to be shipped. Sailors are a little more abundant this year, and we said that as there were fewer ships building at Quebec, and less temptation to desert on the other side, to such sailors as could be got without advance notes, 5*s.* additional wage should be given. Only five men could be got to dispense with the advance notes; the remainder had to get them.

Mr. *Dunlop.*

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Chairman.

4204. Five shillings a month?—Five shillings a month.

Mr. *Bates.*

4205. What would be the crew?—I think from 28 to 30. I do not want the Committee to imagine that we do these things from benevolent motives. In business, commercial considerations, only move us, benevolence comes afterwards. We get a better class of men; they have not the temptation to desert abroad when we give a little extra wage without the advance note, and so on. We only give advances when we cannot help it, and we abolish them, as I have said, in the great bulk of the shipping that we do. On the steamers from Glasgow, Liverpool, and London no advance notes are given. The shipowner is the best judge how to conduct his business. I do not say that from any unkind feeling towards our legislators, for I know they wish to do us right; but I say the shipowner is the best judge how to conduct his business. It is mainly to his enterprise and wisdom that British shipping surpasses all else in the world. Restrictive legislation has not contributed to it, and may, and I fear is, seriously interfering with it. It seems to me the proper direction for legislation to take in connection with advance notes and seamen's wages, is to remove the tendency to drink and other vices before which the sailors fall. If public-houses cannot be shut up the drink which they should be permitted to sell to sailors should be less pernicious than it is—less intoxicating.

Chairman.

4206. Are these proposals for legislation?—They are, I mean them seriously.

4207. You tell us a great many things that are desirable, but I want to know whether you have any practical suggestion as to legislation?—I am going to suggest how to legislate upon them. In the navy, where drink is still issued to sailors, the article issued is not rum or whisky as these are sold ashore, but two-water grog; two measures of water to one of spirits is what the navy uses.

4208. Is this a matter of legislation that grog should be mixed in a particular way; we want to know what you suggest?—I suggest that you should legislate to prevent whisky shops being established in the neighbourhood of shipping. At Glasgow it is a criminal act to give a policeman drink; why should it not be made criminal to give a sailor drink. If you go to the root of the matter, the prohibition of giving them drink, you cure all the evils for which this legislation is sought.

4209. You think better regulations might be put upon these public-houses?—I have shown that drinking is at the root of all the evils you have been seeking to cure, and I ask what would hinder the Legislature forbidding the sale, in any

Mr. *Dunlop.*

22 April 1878.

Chairman—continued.

public-house, of spirit stronger than what is served to men of the navy. I cannot suggest full remedies for the other evils, but I can point the way towards them. Instead of legislating as if sailors and shipowners had interests opposed to one another, and as if the former required to be protected from the latter, regard the shipowner as his best friend and treat him as such. When a discounter presents a seaman's note make it lawful for the shipowner to demand from him a statement in writing of the money or goods given in exchange for the advance note, and make it criminal to give a false statement; the shipowner would then report every suspicious case to the Mercantile Marine Office. Let the Mercantile Marine Office have an agency to punish all wrong-doing towards the sailor, by publican or discounter; have correct records of seamen's address taken when they sign articles; let it be criminal to give a false address; prevent sailors who failed to join or who desert shipping again unless absolved. If all these kind of things were done a great many of the evils, I think, would be cured.

4210. That is the sort of evidence we want. Those are definite proposals?—If short clauses to these effects were inserted in connection with your Board, what I would suggest would be that you have power to make this kind of regulation in the Board of Trade, and work them out by the intelligent officers that are at the head of that department. For the good of the shipowner I would suggest a little addition to this Bill. Rescind the law compelling the measurement of space on deck whereon deck cargoes are carried.

4211. I think that is outside the Bill?—I notice that Canada is going to do it in spite of us.

Chairman.] It is outside the Bill.

Mr. *Shaw Lefevre.*

4212. You ship your men entirely at Liverpool and Glasgow?—All the world over. We have shipped them from every port.

4213. But mainly your own firm ships men at Liverpool and Glasgow?—We have ships from London, Liverpool, Glasgow, and every port in the kingdom. We have a very large fleet.

4214. When a seaman does not join one of your vessels, does your firm prosecute?—I have answered that. I have stated the number of the prosecutions.

4215. You do, as a rule, give orders to prosecute?—Yes.

4216. Do you know that some large firms in Liverpool never prosecute men for not joining?—My late father-in-law, George Smith, the owner of the Smith Line, gave directions not to prosecute, but that was because he was satisfied that the punishment inflicted was inadequate to the offence. His firm continue that practice now, and do not prosecute.

4217. Are you aware that it has been stated to this Committee that some of the largest shipowning firms in Liverpool are in the habit of giving orders that men shall not be prosecuted?—I am not aware of that.

4218. You stated in the early part of your [illegible]ence that the proportion of men prosecuted [illegible]ndon was very much smaller than the pro[illegible] in Glasgow and Liverpool?—And the [illegible]ns, or failing to join, are correspondingly

[illegible] You stated that the reason of that was

Mr. *Shaw Lefevre*—continued.

the great size of London, and the difficulty of finding the men, and also that the magistrates take a different view of the law; do you know what that different view is?—I fancy they do not think it desirable to prosecute.

4220. You do not know what the different view of the law taken by the London magistrates is?—I do not in detail. We have never been able to prosecute men here; besides, as I say, Gravesend gives facilities for removing the evil by obtaining crews further down.

4221. But what has been the difficulty that you yourself have found in London in prosecuting the men?—We never prosecute except to cure an evil, and if the evil is not so very serious we do not prosecute.

4222. Then there is no evil resulting in London from the non-prosecution of the men?—There is a very large number who do not join, and that is an evil, because they are selected men.

4223. But the evil is very easily remedied by shipping others?—It is a highly unsatisfactory remedy, and in my evidence in chief I have made that out plainly.

4224. What would be the result of doing away with the prosecution altogether as regards your trade?—My impression would be that we should be unable to man our ships frequently.

4225. It would not have that effect in London, would it?—I think it might be greater than it is.

4226. Is it not possible it may have the effect of making you more careful in the selection of your men?—No, that is impossible, because we select the best men at all times that we can get.

4227. Have you in your ships the average number of desertions or refusals to join that other shipowners have?—I do not think there is any distinction in that matter. The class of ship, whether steamer or sailing ship, and the trade in which they are engaged, to some extent classify the character of the man. We get an admirable class for our steamers both at Liverpool and Glasgow. We get a very fair class of men for our sailing ships also, because our sailing ships are all of a very high class.

4228. Do you think you get a class of men above the average?—Not above the average for the same class of vessel.

4229. But above the general average of seamen leaving the port?—I do not think I would say above the general average for the same class of vessel.

4230. I am not talking of the same class of vessel, but do you for these superior vessels of yours, and for other vessels of the same kind, get seamen rather above the ordinary average of seamen leaving the ports?—I think we get the pick of the men.

4231. Is it not the case that the desertions by these men are rather fewer than the average. Can you give us the proportion of prosecutions?—I have given it all in very full detail. The prosecutions by my firm only amounted to one last year, and I think two the year before.

4232. You do not mean one per cent.?—One individual.

4233. Then your prosecutions have been very much less in the average than in the case of other shipowners?—There have been only 12 altogether in Glasgow, but if we had not that power,

Mr. *Shaw Lefevre*—continued.

power, the evil that it cures would be something enormous.

4234. I suppose the extreme limit is that of London, where nobody prosecutes?—They have the power here. We do not know what might follow if they had not the power. There is not the passenger trade or the mail trade done out of London that is done out of Liverpool or Glasgow. The conditions under which crews are sent away do not bring out the evils of the failure to join nearly so prominently in the port of London as at the ports of Liverpool and Glasgow, where there are mail steamers.

4235. Do I understand you to mean that, on the average, the class of vessels leaving London is not so high as the class of vessels leaving Liverpool?—You are aware that Liverpool is the point of departure for all the Atlantic mail steamers.

4236. Therefore, the average class of vessels leaving Liverpool is much higher than in London?—That is not the deduction I seek to make. It is that the departure of these vessels punctually to the day from the Port of Liverpool, is a very much more important thing than the departure of the vessels that leave London; first, because, in London, there is Gravesend below, where you can supplement a defect occurring in the Port of London; you have not the corresponding thing at Liverpool; and then the occupation of the ships leaving London is different from that of those leaving Liverpool, where they are large passenger and mail ships to a much greater extent. Therefore, to legislate under the idea that because there are no serious disadvantages following upon the existing system in London, therefore there are no serious disadvantages, would not be conclusive as to the other ports.

4237. I understood you to account in that way for shipowners prosecuting in Liverpool and not in London to a great extent?—Yes.

4238. Supposing the fear of prosecution is done away, would it not result in compelling the shipowners of Liverpool to be more careful than they are now in selecting their seamen?—I think not. It is impossible to be more careful than they are now.

Mr. *Bates*.

4239. You said that men were grateful for being put on board by force or persuasion when drunk. Do you know that as a fact, from your own knowledge?—Well, I draw it more from inference than from the direct fact. I have had a seaman put on board compulsorily, who thanked me for my service in putting him on board, a case a little different in its character from those drunken ones. I have seen wives and friends beseeching a drunken sailor to go on board, and I have seen that man standing defiant and refusing to go, as if it was a brave thing that he was doing, and I have seen the gratitude of his people, when, by a little persuasion and force, he was put on board, and I know that it was for the best interests of the man that he should be put on board, and he would turn out a good sailor at sea. That man was bound to be grateful for the service done him in putting him on board. That is the manner in which I seek to speak of it.

4240. Then you maintain, from your great knowledge and experience, that the law as it at present stands, enabling a shipowner or captain to get his men on board when they have signed

Mr. *Bates*—continued.

articles, is an act of mercy towards the sailor?—I do.

4241. You think it would be far preferable to do that than to summon him before the magistrate and fine him, when, perhaps, his kit would be on board the ship, and after the ship has gone he would lose his kit?—Yes, I should say so. I do not think we would ever get the opportunity of bringing a man before the authorities if this Bill were made law. The process is too slow, complicated, and expensive. I shrink from the consequences of it in the conduct of my business.

4242. I think we have been told in this Committee, that if a sailor joins his ship according to the articles, that is on the day he was ordered to be on board, and the ship does not sail, and he remains on board and works, he cannot get paid. Is that true. For instance, if a sailor joins a ship and she does not sail for a week afterwards, does he get his pay during that week?—Certainly.

4243. And are you not obliged to feed him and lodge him?—We must.

4244. I think the Chairman did not quite understand clearly what you said with regard to the advance note. You said that the holder of that note was compelled by its terms to present it before the return of the ship?—I said so.

4245. Your object in doing that was that the note might be paid and debited to the sailor in due course?—Precisely.

4246. And if the note is not presented during that time, and in the meantime the sailor comes home and receives his wages, you are not liable?—We should have paid the amount of the sailor's wages without deducting that note, and we would be exonerated from the responsibility of paying the amount to the holder of the note.

4247. Consequently, the holder of the note would alone be the sufferer?—Yes.

4248. And the sailor would get his pay twice over?—In that case he would so far as the note extended.

4249. You said that you thought the punishment of one month for maliciously stating that a ship is unseaworthy is utterly inadequate?—Yes.

4250. What do you think the punishment ought to be?—My impression is six months.

4251. That is exactly the statement made by the stipendiary magistrate of Liverpool on the same point. You say that in going to Canada you try to get men without advance notes?—We do.

4252. Is it not a fact that the sailors generally run away in Canada?—Not now. They did run away very greatly when the shipbuilding of Canada was abundant, and they run a little now, but not much.

4253. Therefore, you suggest that the advance note should be at a lower rate of wages?—We do.

4254. But where you get a man who takes high wages, your object is to prevent him running?—Yes, we remove the inducements to his desertion.

4255. I do not know what the custom is in Glasgow, but do the sailors generally go down to look at the ship before they engage?—Oh, they know very well about the ship. I do not know how they get at the information, but they know thoroughly about the ship.

4256. Do your captains usually engage them a few days before the ship sails?—They do.

4257. Do

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Mr. *Bates*—continued.

4257. Do not the men go on board and ask the captain if he will take them?—Oftentimes.

4258. And your captains of course take the best men?—The best men they can find.

4259. I suppose you find that sometimes you make mistakes, and some of them do not turn out quite what you expected?—Clearly.

4260. Do not your good men sometimes require putting on board by a little persuasion, when they are a little intoxicated?—I am sorry to say they do; I have seen a splendid sailor very much the worse for drink, at his ship's side, refusing to go on board, and I have had him put on board, and he has been one of the best men of the fleet.

Mr. *Rodwell.*

4261. You mean drunk? — Excited with drink.

Mr. *Bates.*

4262. You do find that good men sometimes get too much drink as well as bad men?—No doubt.

4263. Is it not a fact that sailors, as a class, will get drunk when they can?—I am afraid it is; particularly men going on a long voyage, who are to be compulsorily teetotal for months.

4264. You said something about the advance note. Do you think the best way to make sailors what we all wish them to be would be to protect their wages when they come home?—I am very strongly of opinion that those are the directions where the remedy should be effected.

4265. What amount do you pay, as a rule, to your East Indian sailing ships when they come home?—I imagine each of the men would get from 25 *l.* to 27 *l.*

4266. If they had not had an advance note would they get 30 *l.*?—Clearly.

4267. Therefore the inference is, that the advance note has little or nothing to do with it?—It has nothing to do with it. The improvident among them would just remain longer in port than they do when they have a less sum to their credit. It is a simple question of whether they spend it at the end or a little bit at the commencement. The whole amount at the beginning is not a very serious matter.

4268. Do you think it has really anything at all to do with the question of whether Jack will be sober or drunk?—I do not think it is material.

4269. And do you think it is a necessary evil, as the law now is?—It is a necessary remedy for an evil providing a little means to enable the improvident and the unfortunate to get to sea.

4270. And without that advance note you could not get them to sea; they would have to go to the workhouse?—They might go in a way, but they go more comfortably, as a rule, with the advance note. Some of them drink it, no doubt, but many of them make a good use of it; and, in these examples that I have given, I have no hesitation in saying that, whenever the notes about which I have spoken were presented by wives, they were made a good use of, and all those that were in the Sailors' Home were made a perfectly good use of, and discounters have been improved, according to my experience, in the port of Glasgow since we introduced this note. There is no temptation now to do a wrong to the shipowners, and it has helped them wonderfully

Mr. *Bates*—continued.

to do the right thing to everybody. Their interest now is to put the sailor on board the ship.

4271. Then your decided opinion is, that at the present time we cannot do without the advance note, at all events until some substitute is found?—I am clearly of that opinion; I hold it on other and very much stronger grounds. There is the great question of freedom of contract. The shipping interest of the country is the greatest mercantile interest in the world, and the merchant shipowner is the man to have absolute freedom to regulate the manner in which he will issue his promissory notes, or bills for services rendered, or to be rendered, or for things obtained, or to be obtained. I take it that the shipowners are the right men to do these things, and ought to have absolute freedom.

4272. Can you tell the Committee what is the usual amount of discount charged by these discounters?—I have repeatedly made inquiries into that, and have been told by discounters that from 1 *s.* to 1 *s.* 6 *d.* in the pound is the charge for discounting.

4273. And you believe that to be the fact?—Yes. There may be a little profit taken out of the articles supplied by the furnisher, which goes a little towards compensation for the risk.

4274. As a general rule, do you think the advance note is put wholly, or in great part, to an improper use?—I think not; I am sure it is not, in my experience, at Glasgow.

4275. Then when we are told that such a sum as 60 per cent. is charged for discounting an advance note, that is altogether incorrect, as far as your knowledge goes?—I should say so.

4276. You never heard anything of the kind?—I never did.

Mr. *Gourley.*

4277. I believe you have had very large experience in the employment of workmen generally, such as carpenters, sailmakers, and others?—Yes.

4278. In your experience, in connection with artisans of the class I have called your attention to, have you found that seamen, as a rule, complete their contracts as well as those men?—I do not know that there is much difference in that respect. The state of the trade rules the thing; men ashore will go where they can get better wages without much warning, but they generally fulfil their agreement, which is always a short one; a week or a fortnight's notice.

4279. You find that seamen complete their contracts with their employers as readily and correctly as other classes of artizans?—No, they do not go on board their ships to their work as other classes of artizans do; drink interferes with their going on board.

4280. As a rule, when they do enter upon their work, they complete their contracts as well as other artisans?—When they have joined the ship they do their duty as well as any other class of men I know.

Mr. *Bates.*

4281. When they have joined the ship and are at sea?—Yes.

Mr. *Gourley.*

4282. Then can you see, from your knowledge and experience in connection with other artisans, why

Mr. *Gourley*—continued.

why seamen should be subjected to an exceptional law, the law of arrest without warrant, to which other workmen are not subject?—I have made a most elaborate explanation with regard to that in the early part of my evidence.

4283. Your evidence is that a sailor will be quite as ready and as willing to complete his contract with his employer as any other artisan?—No, I do not say that; you are putting it in a way that I never for a moment would repeat. The sailor, when he has begun his duty on board his ship, will do his work with any man I know of the artisan class; he is thoroughly reliable in that stage, but he cannot be got to enter upon his duty with that degree of certainty that the nature of his calling and the nature of his obligation under his contract require.

4284. Do you think the law as it now stands really influences the seaman in joining his ship after the signing of his contract?—I am convinced it does; it is a most salutary thing, and I have shown that the number of men who are punished under this summary law of arrest, does not amount to more than one in a thousand of those who do not need it. They are bad from two causes; bad from drunkenness, and bad from wilful badness.

4285. You mean to say that before you can get your seamen, or guarantee that you can have your seamen to join your ships, you must always have a policeman at their back?—The right to call a policeman. We do not call in a policeman as a rule; the men understand perfectly, that although they may get excited with leave-taking and socialities, they must join, and they do it; they do not need a policeman, but if they knew they could with impunity say "No," and stay a little longer over their drink, the contract that they had entered into would be altogether dead.

4286. Do not you think that if they were subjected to punishment by a civil process, instead of a criminal process, it would have the same influence over them?—I speak from a wide experience, and I say without hesitation, it would not.

Chairman.

4287. Experience in civil proceedings?—Experience as a shipowner; experience in the engagement of all kinds of servants.

Mr. *Gourley.*

4288. What you mean to say is this; excuse me saying so, but it is the inference to be drawn from your reasons, that all seamen must be looked upon as criminals?—No, no; 200,000 men went to sea last year, not one of whom is a criminal.

4289. Not one of whom required to be put on board by this law of arrest without warrant?—Yes.

4290. Then the law of arrest without warrant is really a dead letter?—Am I a criminal; I am a shipowner; I am liable to be imprisoned for wrong-doing, but I do not do wrong.

4291. You must be proceeded against first?—But I am only a criminal after I commit the crime.

4292. What would you substitute for the advance note?—We do not give advance notes at all where we can get the crews without them, and we get the great majority of our men without advance notes. We only give advance notes where we cannot get the men without them.

Mr. *Gourley*—continued.

4293. Would you give allotment notes?—Allotment notes are always given to seamen on long voyages when we think their families are the better for them.

4294. Would you make it compulsory that shipowners should give allotment notes?—Certainly not. I would make nothing compulsory as to the mode of carrying on his business. He is the only man who understands it and knows how to do it.

4295. Would you not consider that the shipowner should be bound to pay a certain amount of wages which have been earned by the man either to relatives or in some other form?—I say no. Why should a shipowner be treated differently from a millowner?

4296. The millowner pays weekly, but the shipowner on long voyages does not pay till the ship comes back?—I think both the millowner and the shipowner should be left perfectly free. Since the Education Bill sailors are improving, and they will improve, and I am glad to say that the testimony of our shipmasters within the last short time is that sailors are improving. There is less drunkenness and less other vice, and the law of summary arrest will fall as a dead letter if you can abolish drinking.

Chairman.

4297. Is not the great difference between a millowner and a shipowner, that in one case the wages accumulate, and in the other they are paid from week to week?—There is that point.

Mr. *Burt.*

4298. You told us at the commencement of your evidence that shipowners are the seamen's best friends, and I understood you to say subsequently that the shipowners are not actuated by philanthropy, but by commercial considerations in their treatment of the seamen; so that you do not put it on any very high ground?—I stated that shipowners were the best friends of the seaman where questions of benevolence were to be considered, but I stated that commercial considerations alone influenced us in the rate of wages and the mode of payment where we gave wages at a certain rate with an advance note, or at a certain rate without advance notes. These two things are quite distinct, and not as you have put them.

4299. In objecting to Clause 4 of this Bill, which applies the Employers and Workmen's Act to seamen, you stated that the offence of breach of contract is more serious in the case of seamen than in the case of other classes of workmen, and, in support of that position, you said that the absence of two or three men does not stop work on shore. You also stated that there is not so much capital invested in connection with commercial operations on shore?—Capital in proportion to the workmen employed.

4300. I want to ask you if you know anything about collieries?—Oh, yes.

4301. You will then be aware, I dare say, that it would be quite possible for a single man, in connection with a colliery, to stop the pit from going to work?—By some criminal act.

4302. By simply refusing to come to his work; an analgous case to that of a seaman refusing to join his ship?—I am not aware that a single man could stop a colliery because he did not turn

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up, else collieries would be stopped every day of the year.

4303. If a man in the position of brakesman, whose duty it is to send a man down a pit, did not come to his work at the proper time, could the work be performed?—Not by the man who did not come, but somebody else could easily be got to do it.

4304. That is a matter of opinion. I dare say you will be aware that in connection with collieries there are only two or three of those men and that they came in shifts, and there might be considerable difficulty. Of course that is rather an exceptional case, but I wish to show that your rule is not without exceptions. I suppose you know the duties of a bankeman in connection with collieries?—I am not so intimate with them as with the duties of ordinary workmen.

4305. I may state, then, that if two or three men who are in the position of banksmen refuse to go to their employment, a very large colliery might be laid idle. Now, with regard to the amount of capital invested, do you think that on the average there is more capital invested in a ship than in a large colliery?—I think so; but if the colliery man were taken before a Government official, and made to sign a solemn agreement, as a sailor has, to enter upon his work on a given day, and if all the consequences that you have described followed upon his neglect, I should say that you would have furnished a strong reason for making the act criminal.

4306. What solemnity or sanctity is there attached to going before a Government official?—It is mutually binding; the shipowner has to do a part, and he is liable to punishment if he does not do it; he has to provide his ship in a seaworthy condition for the man to carry out his contract; the cases, in fact, are not at all analogous. There is every reason for making a sailor's contract a much more serious thing to break than a contract on shore.

4307. Of course; I am testing the force of some reasons you have given for this distinction. In the first case, as regards the numbers of men, your answers, I think, will go to show that a single man may, in the case of a colliery, stop a colliery. And with regard to the amount of capital invested, are you aware that as much as 150,000*l.* or 200,000*l.* is sometimes invested in a single pit?—It may be so; but those are exceptional pits, and there will be a great many openings to such a pit, and a great many banksmen, as you call them, and other men. I do not believe that a coal-pit exists where the absence of one man would produce all the consequences you have described.

4308. You say that it would be a very exceptional thing for a colliery to have 150,000*l.* or 200,000*l.* invested in it; are you sufficiently acquainted with collieries to make your opinion of much value on that point?—Well, perhaps you are the best judge of that. I do not profess very much knowledge of collieries. I have been offered a colliery of very considerable extent for a very much smaller sum than we invest in ships; but I do not profess to know much about the details of the value of collieries. I know that we supply ourselves with coals in Glasgow, and that those who supply us are not men of very large means, although highly respectable worthy men; and I expect they cannot have very large sums invested in their work.

Mr. *Burt*—continued.

4309. Assume that 150,000*l.* or 200,000*l.* is an exceptional sum to be invested in a colliery, would it not also be an exceptional sum to be invested in a ship?—The larger mail steamers belonging to my firm are not over-estimated, when I describe them as costing us 130,000*l.*, not including cargo.

4310. Then it would be equally exceptional, I infer from your answer, for 150,000*l.* or 200,000*l.*, to be invested in a ship as it would be to be invested in a colliery?—We have ships costing us from 10,000*l.* up to 130,000*l.*

4311. You have already given evidence to show that the number of men prosecuted for refusing to join their ships is not very numerous. I think you said one in 1,000?—Yes.

4312. And, therefore, 200,000 seamen have no reason to complain of the existing law. Now do you think it is worth while keeping a special and offensive punishment hanging over the heads of 200,000 men for the sake of having the power to prosecute one in 1,000?—I think it has the effect of limiting it to these few offenders.

4313. I know you gave that opinion. You think that if this power of arrest and imprisonment were abolished——?—The offence would increase immensely to the detriment not only of the sailor, but of the great commercial enterprise of shipowning.

4314. Of course you are well aware that this power of arrest without warrant was abolished many years ago; I daresay 10 years ago?—Yes, I am aware of that fact, but I did not know when it was abolished.

4315. Are you aware that employers of labour, mineowners and others, declared at that time that this power of arrest and imprisonment was a very great protection against breaches of contract on the part of the workmen, and that they uttered propheeies similar to those that shipowners now utter, to the effect that if this power were abolished, offences of the kind would greatly increase?—I am not aware of these details, but I very much doubt if colliery men are to-day the better for the legislation that has enabled them with impunity to rise up against employers, and strike and stand in a position of antagonism to their employers.

4316. With regard to miners and others not being in a better position, I suppose they would be the best judges of that; but coming to the question of its effectiveness as a preventive of breach of contract, and I suppose nobody wants to encourage breach of contract, for it is a very serious offence, and nobody wishes it to be increased, are you aware that since the abolition of arrest, since the severity of the law was mitigated, and workmen were placed on a similar footing to the rest of the community, instead of breaches of contract being considerably increased, they have, according to judicial statistics, considerably diminished?—I am not aware of these details.

4317. Would you be surprised if such were the case?—I think it would probably admit of question, even supposing the facts were as you describe. I think the reason of the change might be found to exist in another cause. I would canvass the thing and discuss it with you, supposing I found the fact as you describe.

4318. Just as the number of the refusals to join in London being much greater than elsewhere might arise from some other cause than the shipowners not imprisoning the men?—You might

Mr. *Burt*—continued.

might hold that view, but I do not. These are questions for discussion; but I hold that the reason why London is worse in that respect than other places is that the law of arrest is not put in force.

4319. You stated that recent legislation has provided imprisonment for the shipowner for wrongdoing, and from the manner in which you gave your evidence, I inferred that you think that the shipowner and the seaman should be placed on terms of perfect equality. I do not know whether that was a correct inference, but that was what I gathered?—I think if a shipowner became a sailor, and went to sea, and signed contracts, he should be put in prison precisely as a sailor would be under similar circumstances.

4320. That is, if a shipowner was a seaman, he should be imprisoned?—Precisely, if he neglects his duty.

4321. But you would deem it a proper thing to have this power of arrest and imprisonment for a similar offience on the part of the shipowner, namely, breach of contract. I admit it is not a thing that is of very frequent occurrence, but would you agree that there should be the same power of arrest and imprisonment in his case as in the case of the seaman?—If you can discover a crime that the shipowner is guilty of for which there is no punishment by imprisonment, I think that punishment by imprisonment ought to be applied to him: But these hypothetical questions are not very easily answered. You must first find a crime, and then apply the punishment. There are a great many evils that are done by workmen that are productive of great evil to them, but which there is no punishment for, and I do not advocate that there should be; but these are abstract questions.

4322. But my question is, for exactly the same offence, namely, breach of contract, would you arrest and imprison the shipowners without warrant?—If you have an identical contract, similar in its conditions and similar in its consequences, there is no reason why there should not be the same law for both.

Chairman.

4323. Supposing a shipowner allowed a ship to sail before the time mentioned in the agreement, and so throw over his men?—I should not make that a criminal act. The remedy for the sailor's evil is quite a different thing in that case.

Mr. *Burt.*

4324. In Clause 5 you suggest the addition of advance notes?—Yes.

4325. Would not that put the seaman entirely into the hands of crimps?—Crimps have no power of summary arrest under this Act, nor under the existing Act.

4326. But would not the addition to these words, which you suggest, give them the power, if they had the advance note from the seamen?—Clearly not. The only man who has the power is the shipowner or the agent. Crimps could have no such power.

4327. In Clause 7 you suggest, as I understand, to add to the number of persons who can arrest the seaman without warrant. Do not you think that five persons are quite sufficient to have that power over the seaman?—I simply sought

Mr. *Burt*—continued.

to have a word to make the purpose successful, that is obviously intended in the Bill. The ship's agent is not always the ship's husband, and consequently is not necessarily the consignee of the ship. It is because the framer of this clause has not clearly understood how to define the man who really ought to have this power.

4328. With regard to Clause 15, I understood you to object to the power of imprisoning a shipmaster, and I think you said this power of imprisonment added a new terror to the position of the shipmaster?—I referred both to the shipmaster and the sailor on that point. I said that I had a good opinion of the sailor at sea when he is sober. I think they are improving as a class, and as a shipowner I have no desire to seek to increase the criminal code against sailors or shipmasters. They are a very hard-working set of men.

4329. You are aware it is only for neglect of duty for not having secured a proper look-out, &c., that a shipmaster should be imprisoned?—This is a new thing.

4330. Is it not most important that a good look out should be kept?—Certainly it is, but it does not require criminal punishment to make the duty sufficiently strong. Masters have their own lives at stake; they have got their well-being, they have got their daily bread depending upon the success of their carrying out their work; they do not need a new terror of imprisonment, because it is a very nice question whether the master has or has not been guilty. I regard British shipmasters as a noble set of men, and they have a far higher motive than the terror of imprisonment impelling them to do their duty in a first-rate way.

4331. Then am I right in saying that you are shocked at the notion of imprisoning a shipmaster for neglect of duty, but you think it quite right to have the power of imprisoning seamen for breach of contract, or simply refusing to join the ship?—I did not put it in that way; I say you do not need this remedy for this evil. In the other case I say an evil exists, and a remedy is provided, and it is the needful remedy for that evil. I say so from experience.

4332. You express an opinion with regard to Clause 19, that it is not possible for a master to make up their accounts in time; have you had any experience as a ship captain?—No, I have been a merchant all my days.

4333. Are you aware that two gentlemen, who have had very lengthy experience as ship captains, gave evidence before this Committee at the last sitting, that it was quite practicable, and that, in fact, they carried it out?—They cannot be men of any material experience. I would not attach the least importance to their evidence.

4334. One was a commander in the Royal Navy?—A very unsuitable witness to judge of that case.

4335. And you stated further, with regard to the payment of wages for two days after the men's services terminated, that the wages would follow the economic law, and would, to that extent, be reduced in amount?—Yes, I stated that as an abstract principle; but I pointed out that these clauses, if made law, would operate to the disadvantage of the sailor, inasmuch as the sailor would leave his ship on arrival, and if the shipowner has to pay the wages he will call upon the sailor to give him the work for it. The sailor would decline to do his bidding at that stage, and

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would make himself liable to the penalties of the Act, so that the Act would be hurtful rather than beneficial to the sailor. For these reasons I say keep the law as it stands, only you do not need to give as many days as the present Act permits for the making up of the seaman's wages and the payment of them. If the Mercantile Marine offices can give facilities with the telegraph, which we now have at work, two days would perfectly suffice to pay off crews. As a rule, in my own firm, the ship arrives to-day, and the sailor is paid to-morrow.

4336. You afterwards went on to speak of the liberal manner in which seamen are paid, and you stated that it was nothing uncommon for them to get two days for what was practically two quarter days?—Yes.

4337. Would not that follow the same economic law on the same principle as you have laid down?—I have no doubt it does; I see the deduction you seek to make there. There is no use, however, in doing a direct wrong under the idea that it is going to benefit the sailor.

4338. Then there is no especial act of liberality that the shipowners can claim credit for in connection with that, inasmuch as they are simply carrying out the ordinary economic law. If they pay more in one way they get the benefit of it by reduced wage in another way?—The economic law rules in the end, but it is retarded somewhat and interrupted often in the even tenour of the process in these exceptional cases just as strikes produce for a time an increase of wages and afterwards reduce them to a lower depth for a longer period. I point out that the sailor is well provided in that particular thing in the manner in which the accounts are made up under the sanction of the Board of Trade.

Mr. *Plimsoll.*

4339. You spoke of a ship costing as much as 130,000 *l.*, and therefore inferred that the capital involved in setting a ship afloat is much greater than that employed in collieries, would it surprise you to hear that very few collieries now are sunk for less than 200,000 *l.*?—I would be surprised if you said that with respect to Scotland. I was offered a colliery the other day, in Wales, that I am certain would have no such sum sunk in it.

4340. Are you aware that it has been given in evidence that although the shipowners in London have legally the same powers as elsewhere, it is not from any forbearance on their part, but rather from public opinion, and the feeling of the magistrates, that the men are not sent to gaol?—I am not aware of the full reasons, but I think it is a wrong done. If there is an Act of Parliament empowering certain punishment for certain crimes I think no magistrate has any right to exercise his discretion and over-ride the law of the land.

4341. You never heard of a law falling into disuse in deference to public opinion. You spoke also of the great inconvenience that would arise in passenger steamers if this law of arrest were abolished: did you ever know of a large mail steamer being detained by a man not going on board on the appointed day?—No, but we have had very narrow escapes.

4342. In speaking of the advance note you had before you, you said that that form of note induced the discounter to get the man on board. What is the security of the discounter?—The good faith of the seaman that he will go on board the ship.

Mr. *Plimsoll*—continued.

4343. You said that crimps could have no such power of arrest without warrant; are you aware that the stipendiary magistrate at Liverpool in explaining the process by which men are arrested showed that, practically, the power was with the crimps?—I did not gather that from his evidence. I know that it is not the crimps that have anything to do with it.

4344. The discounters, if you prefer that term. It has been given in evidence that really the initiative in arresting seaman is with them?—I have the experience of my own firm in connection with our steamers at Liverpool, where we do not give advance notes, and we have imprisoned men without the aid of crimps, because no crimps can intervene.

4345. You spoke of your own seamen being an admirable class of men. You are aware that, at present, the owner, the captain, the mate, the ship's husband, and the consignee, may all arrest without warrant, and you wish to give that power also to the agent?—It is the agent who is meant, I take it, by the ship's husband or the consignee. I wish to make it more plain.

4346. You think Clause 22, line 31, ought to terminate with the words "wages or engagement"?—No, I wanted the words "relating to wages" struck out.

4347. Did it not occur to you, when you said that if Parliament passed Clause 20, page 9, giving the man his wages for the days he was kept waiting, the shipowner would defeat the intention of the Legislature by requiring actual service?—The owner would require service of him.

4348. Do not you think that it is very good of you to tell us that so that we may check that tendency in drawing the clause, and add words something like this, "and he shall not be held to forfeit this by not working on those days"?—It would be impossible for you by any legislation to prevent the shipowner making a contract with the sailor that he shall do work for a certain length of time.

4349. Did you ever know of clauses in Acts of Parliament in Ireland over-riding contracts between landlords and tenants?—I am quite satisfied that you could not successfully make the provision that you are proposing to make, without exposing the sailor to a greater hardship than is intended to be put upon him in that clause.

Mr. *Rodwell.*

4350. Do I infer from your evidence that the great majority of cases in which pressure is put upon seamen to join their vessel is when they are drunk and incapable?—The great majority.

4351. When in point of fact the men are not free agents?—That is so.

4352. You also suggested that a period of 48 hours should be given before the vessel sailed, to give a man a *locus penitentiæ* to break off his bargain with the captain?—I suggested that that might be done.

4353. It seems also to be an inference from your evidence that it really is an act of kindness to take these incapable men on board the vessel?—I have no hesitation in saying so.

4354. You draw a broad distinction between the action of a man who voluntarily puts an end to a contract or wishes to give up the engagement he has made, and the case of a man who is not able to take care of himself?—I do.

4355. Do

Mr. *Rodwell*—continued.

4355. Do you think it is possible in legislating that some distinction might be drawn to distinguish between those two cases?—It was with that view I made that intermediate suggestion.

4356. I suppose unless there is something that happens, such as finding out that the vessel is not seaworthy or from some personal reasons, it is the interest of the man generally, when he enters into the bargain, to carry it out, and it is his intention to do so?—Clearly. It is his occupation in life, and unless something occurs very exceptional his interest would be to enter upon that employment.

4357. Advance notes are what has been called a necessary evil, and it is the abuse of them to which you object?—Yes.

4358. Now has it ever occurred to you that if the advance note was made an instrument upon which the crimp could sue the party who gave him the advance note, in the event of his wilfully breaking his engagement to go on board, that would be attended with advantage?—That law is at present in force; the advance note is simply a bill of exchange.

4359. Can a crimp at this moment sue a man for the money he has advanced upon an advance note?—He can in a civil action.

4360. But do you know of any such things being done?—I do not know that it is ever done, because there is nothing to sue.

4361. Does not the same thing apply to the captain of a vessel, that there is nothing to sue?—I have said so.

4362. Does not that at once suggest the difference between the remedy you would apply in the case of the person who has no goods to show, and the case of the shipowner who has property?—It does; it goes a long way to answering that objection that has been taken to the difference of legislation.

4363. It seems that you have no suggestion to make as to improving the system of advance notes, except dealing with the public-house and preventing those excesses that abound now?—Of course it would cure them if legislators could be led to see it. It is an awful mistake that this is not grappled with at the fountain head.

4364. You think there would be no hardship, and practically the reverse, in a shipowner taking gentle means to put a man on board who is incapable of taking care of himself?—I think it is a good thing for the men.

Mr. *Brassey*.

4365. Supposing the advance note were abolished, would it lead to a very considerable rise in the wages of these men?—I do not think it would affect the question at all. We have abolished it with regard to our steamers, and if we thought it would raise the rate of wages our interest would be to continue it.

4366. Are the wages in your steamers at the same rate as the wages in your sailing ships?—They are something like it; they are a little higher on account of the voyage being shorter. Men who come into port and are paid off sooner than men who go on a long voyage take that into account, and we pay them a little more on board steamers; but I can assure you of this: that we take seamen without advance notes when we can get them; we abolish advance notes whenever we can. We deliberately pay a little more wages to the men who do not take advances going

Mr. *Brassey*—continued.

to Canada; but we do all that, not for any benevolent feeling, but simply as a question of commercial advantage. These questions are all commercial questions; they are not questions in which the benevolent element enters.

Mr. *Macdonald*.

4367. You stated at the outset of your evidence that you were deputed by the shipowners in the port of Glasgow, and, I think, Greenock, to make certain statements here?—The Shipowners' Association of Glasgow. I also got direct suggestions from some members. Many of the members of the Greenock section are members of the Glasgow Association; indeed, they are almost affiliated.

4368. Then is the whole of the evidence that you have given here to-day in chief, and the recommendations you have made, evidence or recommendations that you were directed to make by the Shipowners' Board of Glasgow?—Not in detail. The shipowners know that I very fully understand, and am in sympathy with their general feeling, and they entrusted me as their representative to express the views that I was likely to put forward, precisely as a Member of Parliament represents his constituents.

4369. Does not a Member of Parliament very often not express the views of his constituents at all?—He sometimes does; but he ought to be in sympathy with them.

4370. In that case he would not be representing the conclusions they had arrived at?—No doubt he would not.

4371. Therefore what you have stated to us to-day, is to a large extent the views that you hold in regard to these matters?—And also the views that are held generally by the shipowning interests of the west of Scotland.

4372. Are these views that you have expressed with regard to public-houses, &c., held by the Anchor Line?—I think it is very likely that my particular remedy, which has not been listened to by this Committee, should be spoken of as being little more than my own individual sentiments. I have no doubt for all that that the main branch of the suggestion, as I have put it, is entirely in sympathy with the feelings of the Anchor Line. I had a special invitation from the senior partner of the Anchor Line to come here and speak in his name and my own. He trusted me with full confidence to express the views that would be in harmony with his.

4373. Do you express the views of the steamship line of Messrs. Burns of Glasgow?—Messrs. Burns have no foreign-going line.

4374. I am speaking of their steamships that ply every day from Ireland; are you expressing their views?—Mr. Burns is not a member of the Shipowners' Association.

4375. So that after all the views that you are expressing here are rather your own views in the extreme than the views of those whom you have been delegated to represent?—They are the views of the shipowners generally, except that I claim a personal character to some extent for the special remedy as to the closing of public-houses.

Mr. *Rodwell*.

4376. You have no reason to suppose that Messrs. Burns do not approve of your views?—Not a bit; I believe that they have sympathy with my views.

Mr. *Dunlop*.

2 April 1878.

Mr. *Dunlop.*

2 April 1878.

Mr. *Macdonald.*

4377. You have no reason to suppose that they agree with you?—I have not put these special views before Mr. Burns; but I have never found a man disagree with them when I have put them before him.

4378. You were asked by the honourable Member for Plymouth if you had ever heard of 60 per cent. being taken off the advance note by the crimp in one way or another, and your answer, I think, was "No." If that was stated by a respectable shipowner——?

Mr. *Bates.*] It was not made by a shipowner at all; it was made by a parson.

Mr. *Macdonald.*] It was made by a captain.

Chairman.] The statement was that many seamen were cheated out of 60 per cent. of their advance notes, partly by discounting, and partly by the exorbitant prices of clothes, and other things.

Mr. *Macdonald.*

4379. If that was stated by a person who, from his own personal knowledge knew it to be a fact, would it make it less true if you never heard of it?—If it was true, it would be true absolutely, whether I heard of it or not. A man may be robbed of his whole note. I have stated in my evidence that there are designing men who sometimes wrong the seamen.

4380. If a respectable man comes and makes a statement here that the men with advance notes are paid by a little quantity of candle, and other things, you have no reason to doubt that he does not speak correctly?—I have no doubt he was telling the truth with regard to the particular case which he had in his mind. I could give you a case of a note being stolen, no doubt, if I were to search in my records, and that would be a much stronger case.

4381. You stated that certain lawyers are ready to take up seamen's cases?—I did.

4382. You seem to feel aggrieved that certain lawyers have a right to take up seamen's cases in Glasgow; are the lawyers who take up seamen's cases not respectable, or what is the inference you wish to draw from that?—The inference I sought to draw from it was that it was undesirable to encourage by legislative facilities trumpery cases being got up by a sailor, under the advice of men who would probably in that way deprive the sailor of a lot of his hard-earned wages, and that it would be better to have no such inducement held out. That was the inference I sought to draw, and not to level a shaft against any practitioners of law in Glasgow. There are bad men, no doubt, and good men, but all honourable men.

4383. So that your object was not to detract from the character of the legal practitioners when you made those statements?—Certainly not.

4384. You have stated that you want no interference whatever between the employer, the owner, and the seamen, but that the matter should be left to economic laws?—What matter?

4385. Wages and the contract?—I think I have not stated that the nature of his contract should not be regulated by Act of Parliament. It is so now, and I have not said a word on that subject.

4386. You stated very distinctly that there should be no interference between the parties; that you would rather leave it to economic laws?

Mr. *Macdonald*—continued.

—You have not exactly apprehended the point to which that observation was applied; it was not to that branch of the case.

4387. In reference to the economic law, you spoke of the laws of the Board of Trade; are those laws of the Board of Trade in harmony with economic laws?—I did not speak of any laws of the Board of Trade.

4388. You said that there were regulations of the Board of Trade affecting the seaman that the seaman should be guided by, and that the owner should be guided by, in making up the seaman's wages.

Chairman.] The Board of Trade form of accounts; that is all. There are no rules or enactments of the Board of Trade at all.

Mr. *Macdonald.*

4389. Is there anything there in harmony with economic laws?—I think you did not correctly understand my statement; and in making the statement in reference to the Board of Trade, you also do not correctly state it; therefore I cannot answer it.

4390. You stated that the shipowner knew best how to conduct his own business, and that there should be no interference between him and the seaman?—With regard to the particular thing I was at that time speaking of, I said so.

4391. You were speaking then of the advance note?—The freedom to determine whether the shipowner shall or shall not pay his seaman's wages by a promissory note, or in any other way. I hold that the shipowner has precisely the same title to that liberty as is enjoyed by yourself in your private contracts with anybody whom you deal with. I know no reason why shipowners should be deprived of the privileges of any employer of labour in any class of commercial transaction throughout the world.

4392. Then do you know of any reason why the shipowner should be placed in a different position with regard to the contract; why he should be placed in a different position, and have that part of the contract on the part of the seaman criminal, and on his part merely civil?—It is not the case that his part is merely civil.

4393. If a shipowner was to refuse to pay the advance note to the person to whom he gave it, would not that be purely civil?—That branch of it would be; but there is imprisonment even for that. You are aware that in Scotland, I presume you know the law, that if a man has accepted a bill, and does not pay it, there is a stage at which he can be imprisoned for it?—I am not aware of that.

4394. But that is a little bit of fact?——

Mr. *Hamond.*

4395. Does that apply equally to advance notes?—Certainly; an advance note is a promissory note.

Mr. *Macdonald.*

4396. Can a man be imprisoned in Scotland for 3 *l.* 10 *s.*?—I forget whether he can; but the advance notes of a ship amount to a good deal more than 3 *l.* 10 *s.*

4397. Can he be imprisoned at all for an advance note?—An advance note, as I have explained in my evidence, is a bill of exchange, a promissory note, and follows precisely the same law as all

Mr. *Macdonald*—continued.

all promissory notes in Scotland. I have never known any cases, and I challenge the production of any such in which sailors have had reason to complain that they did not get their wages; so that there is no need for discovering criminal conduct in conduct that does not exist.

4398. You stated that it was impossible for the master of a ship to make up his accounts, because he was generally two days in the channel?—He was sometimes two days in channel; I say it without the least fear of contradiction.

4399. What channel do you refer to; the channel to the port of Glasgow?—Yes.

4400. Is any steamship two days in entering the channel to the port of Glasgow?—I will give you a little information upon that point. When a vessel is approaching land off the north of Ireland, it is a very important thing that the master should be on deck to watch the first symptom of approaching land. He then has to perform a difficult navigation round the north of Ireland and along towards Glasgow, and two days are frequently spent in that work. I know that the masters of my own firm come into port jaded and worn out. You would quite sympathize with what I say, if you saw them. I assure you that the men come in at times with their eyes sore and their energies exhausted.

4401. I wish to put another question to test your evidence; you have stated that it takes two days from sighting the coast north of Ireland for a steamer to come to the port of Glasgow; now I ask you with regard to the Anchor Line or the Allan Line of steamships; are any steamships coming from America two days after sighting the coast of Ireland in coming into port at Greenock?—No.

4402. Then where do they enter the channel?—There is a time before they sight the land when they require to be on the watch.

4403. Have you been on board a steamer coming up to the coast of Ireland?—I know the business thoroughly.

Mr. *Hamond.*

4404. You say you are largely connected with steamships?—Yes

4405. Are you also acquainted with sailing vessels?—Yes.

4406. In your answer to the honourable Member for Hastings, you said you abolished the system of advance notes?—In steamers we get our crews without advance notes.

4407. But in sailing vessels?—We only grant advance notes when we cannot get our crew without them.

4408. And that is exclusively confined to the sailing vessels?—To the sailing vessels chiefly, not exclusively, but almost exclusively.

4409. Your answer was that you had abolished them with your vessels?—With our steamships on the Atlantic service.

4410. What makes you call an advance note a promissory note, and that when accepted it can be sued upon, and the person imprisoned for accepting it?—I did not say that a person could be imprisoned for accepting it.

4411. The question I put is this: What makes you call an advance note a promissory note, and say that when it is accepted by a person he can be imprisoned for non-payment; what Scotch law is that founded upon?—The ordinary law of

Mr. *Hamond*—continued.

Mr. *Dunlop.*

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bills of exchange; and I stated that there was a stage at which men dishonouring a bill of exchange are liable to punishment; it is well known in commerce.

Chairman.

4412. Is it different in Scotland from what it is in England?—Oh, no; it is the same all over the kingdom.

4413. Is it a promissory note accepted by an owner, or a master on behalf of the owner?—It is not usually accepted.

4414. Then it cannot be a bill of exchange?—It is treated in the Glasgow courts precisely as if it were an accepted bill.

4415. You stated that sometimes advance notes have not been presented until after the completion of the voyage; have you known any case of that kind?—Pardon me, I did not make that statement.

4416. I believe, in answer to the honourable Member for Plymouth, you said that it would in such a case be passed over?—What I stated was, that one of the reasons why a certain clause requiring that the advance notes should be presented before the ship returns to port should be inserted was, that it was needful that we should know what sums to deduct.

4417. Is that a Scotch law, because your answer just now was, that a promissory note, when once given, and the sailor has started upon a voyage, the party can be sued upon it, and it is treated in the law courts as an ordinary bill of exchange; and if it is not paid, the party can be imprisoned; is there any qualification, then, that if it is not presented before the completion of the voyage it is to be void?—It is one of the terms of the note.

4418. The only note which has been used by the Allan Line?—It is the note of Scotland:—

"Seaman's Advance Note.

"Payable between the hours of 1 and 3.—Glasgow, 28th day of December 1877.

"Ten days after the departure of the ship 'Gleniffer' from the last port or place in the river or Firth of Clyde, or elsewhere in the United Kingdom, in which from any cause she may be, before finally leaving upon the voyage for which this note is issued, pay to the order of Eugene Wallace, provided the under-noted conditions be fulfilled, the sum of one pound fifteen shillings, being advance of wages according to agreement.

Conditions.

"The seaman must sail in the vessel, and duly earn his wages. He must not desert the ship at any port or place in the United Kingdom; absence from the ship without a regular discharge from the master being held proof of desertion. The note must be presented for payment before the termination of the seaman's agreement.

"Should the vessel, from stress of weather or any other cause, put into any port or ports in the United Kingdom, she will not be held to have finally departed on the voyage until she leaves the last of such ports.

"When the seaman has served 30 days on board the vessel, this note will be held to be due, whether the vessel has taken her final departure or not.

"Should it appear, after payment of the note, that any of its terms have not been fulfilled, the

Mr. *Dunlop.*

2 April 1878.

Chairman—continued.

receiver of the money shall be bound to return its amount to the payer on demand.

"James Cumming, Master. 1 *l.* 15 *s.*

"To Messrs. James and Alexander Allan, 70, Great Clyde-street."

"*Notice.*—The above-named seaman to be on board the ship at the time agreed on, or another will be shipped in his place, as per "articles of agreement." This advance note to be signed by the seaman on the back; or in the event of him not writing his name, his mark to be attested by two witnesses.

"Discounter's signature and address will require to be endorsed on this note."

Mr. *Hamond.*

4419. It is only your peculiar note?—No, it is the note of the port of Glasgow.

4420. But it does not follow that it is the note of any other port?—No; these particular clauses are not always in other notes.

Sir *George Elliot.*

4421. Where are the articles generally signed? Always at the Mercantile Marine Office.

4422. For all the ships?—Yes. On one or two occasions, I think during a time of strike, I have got the agreement signed by special permission of the Board of Trade on board the ship, on account of intimidation around the door of the Home.

4423. Would there be much inconvenience attending the signing of articles on board the ship?—It would be of immense advantage to the shipowner, and the paying off there would save a great deal of wages. We lose a day on almost every occasion by the people going to the Home to sign. I wish very much that the Government would look at that, and regulate it a little, and give us freedom to pay wages at the quay; it would make seamen more sober.

4424. If you had permission it would be a great advantage if you could engage your men on board the ship in which they had to sail, and also pay the wages on board?—It would be an immense advantage to everybody, sailors included.

4425. Supposing that were permitted, might not the engagement of the men on board the ship one day or two days before the sailing of the ship be deemed the commencement of the voyage, so that the law might apply to the period of one or two days in the same way before the vessel sailed as it would afterwards?—No, it would not work practically; I will tell you why; when you begin sea service you cook on board, and it is a totally different system from shore work, and it does not do in practice to have that work begun before ships are ready to sail.

Sir *George Elliot*—continued.

4426. Not 24 hours before?—No, not until the morning of sailing; you cannot get your cooks and stewards to begin their duty before.

4427. If the men were hired and on board 48 hours before, and their wages were to commence 48 hours before the ship sailed, and all the obligations attached to the engagement before the ship sailed the same as if the ship was at sea, what would be the difficulty in that?—In the first place you would not get the men to join, and in the next place we cannot afford to pay the men for going idle.

4428. Is there no employment for one day?—They will not work; sailors will not work in discharging or loading a cargo; that is the change that has taken place in the last few years. I have had occasion before now to point out to a sailor, under a threat of prosecution, the need of working in a period of strike.

4429. Would you not consider that if you had the law as it now stands applied to the men after they had signed their articles on board the ship you would have the same authority and power over them as if the vessel had sailed; would not that be worth some consideration on the part of shipowners to pay the men their wages for that time?—Most certainly not; I would simply seek for authority to claim their work on a given day, and pay them from the day they began to the day they terminated.

4430. Then you think you ought to have the power of arresting the men when they are on shore, and before they have entered upon their service?—I think so, and I have given very elaborate reasons in support of that view.

4431. Do not you think that the suggestion that my question offers would be a reasonable compromise?—I do not see any hardship in the existing law; and I see no other way but the existing law of carrying out its object.

Mr. *Gourley.*

4432. In reference to the question of the honourable Member for North Durham, is it not the fact that you have to employ men to prepare your ships for sea instead of seamen, because you cannot get seamen to do it?—Yes. On the return of sailing ships, we have to employ riggers to do work that formerly we used to get the sailors to do.

4433. If you could get the seamen to come on board the ships when they sign articles, then you would rather have the seamen than the riggers?—No; in the first place we could not get them, and in the next place they are not sufficiently skilled. They are not so clever at that work as men who make it their special duty.

Mr. *Shaw Lefevre.*

4434. It has become a special profession?—Yes.

Friday, 5th April 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gorst.
Mr. Ashley.	Mr. Gourley.
Mr. Bates.	Mr. Macdonald.
Mr. Bentinck.	Mr. O'Shaughnessy.
Mr. Burt.	Mr. Plimsoll.
Mr. Corr...	Mr. Rodwell.
Mr. Da...ple.	Mr. Torr.
Sir Geor...Elliot.	

THE RIGHT HONOURABLE SIR CHARLES B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Captain ROBERT PITMAN, R. N., called in; and Examined.

Chairman.

4435. I THINK you are an officer of the Royal Navy?—Yes.

4436. Will you state what is your present official position, and how long you have held it?—I have been appointed by the Board of Trade to superintend the work for the suppression of crimping on the River Thames, and other duties connected with the mercantile marine; I have held the appointment over three years.

4437. You are commander of the Board of Trade steamer "Midge"?—I am.

4438. Will you explain the arrangements under which crews of foreign-going ships arriving in the Thames are sent to their homes through the agency of the "Midge"?—Perhaps in explaining it, you will allow me to read a few notes that I have made with reference to the subject. Up to the year 1866, ships arriving in the Thames were beset with crimps and characters of the worst description, disgraceful scenes took place on board, and it was often dangerous for the pilots to take them up the river through their crews being drunk from liquor provided by the crimps, and the fighting and quarrelling which took place for the seamen's baggage. The Board of Trade have by degrees taken steps to prevent this disgraceful state of things, by engaging for some years the services of a small force of Metropolitan police, and then by placing the steamer "Midge" on the river to assist and exercise a general supervision. The "Midge" was placed on the river in August 1875.

4439. When were the Metropolitan police first engaged?—They were first engaged in 1867; they commenced at that time with one man, an inspector, after that three men were appointed, and then eight men, so that this work has been gradually developed by the Board of Trade. The success that attended these efforts may be judged by the highly satisfactory state in which ships now arrive, and proceed up the river without being boarded by or the crew tampered with by crimps, until they reach the docks, where by the 237th section of the Merchant Shipping Act, the police are powerless to interfere after the ship has arrived at her place of discharge. In lieu of the Metropolitan police the Board of Trade have recently organised a "New River Staff" entirely under their own control, and under my charge, whose duties are, to "Suppress crimping on the river. To arrange, when required, the transmission of seamen's wages to other ports. To undertake the duties of the Mercantile Marine Office at Gravesend, and arrange, when required, for substitutes signing articles on board ships without detaining them." The staff permits of a boat's crew being on duty afloat night and day, for the purpose of boarding all homeward and outward bound ships; also a boat's crew afloat at Blackwall during flood tides. The duties of the Mercantile Marine Office at Gravesend are also conducted by this staff with satisfactory results.

Chairman—continued.

Captain *R. Pitman*, R.N.

5 April 1878.

4440. What duties do you mean?—In shipping substitutes. The entire duties of the Mercantile Marine Office at Gravesend is performed by them.

4441. Can you state what is the number of men so sent home?—We have only been at work for the last two months. We commenced work on the 1st of February, and I have a return showing the number of men who have been sent home in February and March. In February there were 58 men. I must mention that we were working at great disadvantage here. It was just when the staff was organised, and we only commenced sending those men home on the 17th of February, and in 11 days we sent home 58, and in March we sent 59 home, or to various ports.

4442. Why have not more men been sent home under the late arrangements?—On account of the masters not having their deduction accounts ready for us. According to the form arranged by the Board of Trade, it is necessary that the man should sign his deduction account, which is a

Captain *R. Pitman*, R.N.

5 April 1878.

Chairman—continued.

list of advances and articles which he has received from the master, and it is necessary to have this document before we can make out the paper for the transmission of wages.

4443. Can you give the Committee any idea what the usual number of men discharged from foreign-going ships at Gravesend, and sent to other ports, is in the course of the year?—With regard to your last question, I may state that I have met with difficulties in the way at present of obtaining the accounts; some of the masters are very independent and off-hand about it. As a rule, I may say, that it has met with the general approval of the masters, but there are some who give you a rough answer, and say that they consider the seamen are too well cared for already.

4444. Can you tell the Committee the effect of sending men home by the "Midge," and also the evils and dangers which the men escape from thereby?—In the case of a ship arriving from a foreign port, the seamen invariably have from 10*l.* to 50*l.* due to them; and in consequence of the present state of the law, they are kept without this money for from two to five days, whilst they are landed at a place where they may have no friends, and without a farthing in their pocket, as a rule. Some of the first-class lines do give them money; but, as a rule, they are landed without a farthing in their pockets, and necessarily they must fall into the hands of crimps, or go to a Sailors' Home. By means that we have adopted, we can frank the men from the ship's side, provided those documents are made out to go home, or rather to the ports that we at present have arranged to send them to. I believe it is in contemplation, in future, to enlarge the number of ports and places to which seamen may be sent, but as an experiment for the present only nine ports have been arranged for, consequently as it now stands we can send a man, as I say, from the ship's side in the dock to their home, without any loss or risk, and when he arrives at his home he of course receives his wages, and he thus escapes the snares of the crimp, and if he does throw his money away, he throws it away under the eyes and under the influences of his own people and friends.

4445. How does he receive his wages; how are they paid to him when he has gone home?—They are paid to him through the Mercantile Marine Office of the port where he has his wages sent.

4446. Are they sent by a post-office order?—They are sent by an order through the Mercantile Marine Office, or a letter of credit from one office to the other.

4447. Can you tell the Committee anything of the London crimp, and their method of procedure in the case both of homeward and outward bound ships?—With reference to the homeward-bound ships it is the object of the crimp to get on board the vessel, and get at the seamen as early as possible. With this object, they have been in the habit occasionally of being towed in their boats down to Gravesend, and even to the mouth of the river; but by the efforts of the river staff this has almost been entirely checked, and they now are forced to confine themselves to the dock gates and pounce upon the seaman when he comes out. Notwithstanding the vigilance of the dock police they often get in there and smuggle themselves on board the ships. Their aim is to induce Jack to come to their boarding-house, and, as a bait, they offer him some silver, and, perhaps, a

Chairman—continued.

pull out of a whiskey bottle. The man then yields, and the crimp walks off with his clothes, and from that moment one-half or probably three-quarters of his past earnings are pledged; he is kept in a state of drink (sobered for the occasion of receiving his money at the shipping office), and after a few days he is told that his money is exhausted, and he must look out for a ship. Can anything be more disgraceful to a country that a class of men should, under our very eyes, be allowed to be imposed upon and robbed in this manner. The seaman is then forced to get a ship, a part of his future earnings are mortgaged by the advance note, with which he again gets drunk, and the consequence is, that he is unable, except by coercion, to keep his engagement by joining the ship at a certain hour. With regard to the outward-bound ships the advance note, which is issued to them, is at the bottom of everything, I think; it demoralises the seaman completely, and he is forced to go to sea with a month's earnings gone.

4448. Do you believe it would be an advantage to the seamen or to the crimp if the Mercantile Marine Offices were done away with?—It would obviously be a great disadvantage to the seaman, as, in the present instance, there is the guarantee that there is no illegal exaction from him, and that the man is in a sober state when he makes his contract with his employer. The Mercantile Marine Office is also the rendezvous for the men, and thus enables the masters to put their hands upon men when they require them.

4449. I understand from you that you do not feel competent to give any opinion upon the 4th clause of this Bill, being unacquainted with the working of the Employers and Workmen's Act?—No, I have never studied the 4th clause, and I would rather not be questioned on the point, as I think my evidence would be of no weight.

4450. Have you anything to say on Clause 5?—I propose to introduce an additional paragraph to Clause 5, in order to protect the owners and masters from imposition, and to protect good seamen from incompetent seamen being shipped with them, and also as a blow to the crimp.

4451. Will you state the words which you propose shall be added?—"In the following cases, that is to say, where a seaman at the time of signing an agreement wilfully and fraudulently gives a false name or address, or a false statement of the name and description of his last ship or last alleged ship, or of his last rating or last alleged rating," then it would go on as in the 2nd clause. This clause I suggest more for the sake of the crimps; they very often rob seamen in their drunken state of their papers and documents, and hand them over to men who have never been to sea, and thus ship them as *bonâ fide* seamen; I think it would tend to check that.

4452. Your proposed addition includes within the penalty wilfully giving a false address, or a false description?—Quite so.

4453. I believe the first paragraph which you propose to add to the clause is already contained in the Merchant Shipping Act of 1854?—It is.

4454. Then do you propose that that section should be repealed?—Yes.

4455. Why would it not do to leave that section unrepealed, and let it run with this proposed clause?—It might run so.

4456. It is much the same, but you propose to repeal

Chairman—continued.

repeal it that the law may all stand together?—Yes.

4457. You think that Section 255 does not contain any penalty for false statements as to previous rating or service, or of the man's address, and these you propose to add in order to prevent crimps from trading in seamen with false statements of rating?—Yes; quite so.

4458. Will you now explain the amendments which you propose to Clause 19, which is on the subject of time and payment of wages?—The proposition that I make, and which you will notice in the second line, is, "with the sanction of the master," after the word "ship." I think this will give a clearer definition of when a seaman lawfully leaves the ship.

4459. You mean that it explains the term "lawfully leaving," by adding "with the sanction of the master"?—Yes, I think it is a clearer definition; it gives the master the power to allow the man to leave the ship.

4460. The master, of course, would include anybody he leaves in charge of the ship when the master is away?—Yes, the Act provides for that. The man in charge is master for the time being, according to the Merchant Shipping Act.

4461. Will you go on with the alterations which you proposed in Clause 19?—I propose to add paragraph number 1, I consider that a man's wages can in all cases be made up in the course of 48 hours, and if an owner fails to make up the wages in that time, the sailor should not suffer, and it is therefore proposed to inflict a penalty on the owner in the event of his not complying with that. The additional clause runs, "Provided that, where the seaman leaves the ship with such sanction, and is given by or on behalf of the owner or master on or before so leaving, the money and the account named in Sections 20 and 21 of the Act, and is paid the balance of his wages within 48 hours thereafter."

4462. These heads of the proviso are covered by the enactment at the end of them all, that in those three several cases the seamen shall not be entitled to receive any wages after the date of quitting the ship?—Provided they are paid within 48 hours; should the final settlement of wages take place, we will say 56 hours after the man is discharged with the sanction of the master, of course he pays him those 56 hours for the detention.

4463. What is your proposed alteration in Clause 20, which proposes that the master shall, if the seaman wishes it, pay him a certain sum down to enable him to go home, and if he fails, without reasonable cause, to make this payment, he shall be liable to pay in addition an extra sum; you propose to add that this sum shall be "paid on the final settlement of the seaman's wages"; will you explain that?—As the Bill stands it will be necessary for the seaman to recover the penalty from an owner by a law-suit which he never would do. According to the amendment which I propose the penalty shall be paid on the final settlement of the wages.

4464. That is to say, you object to the last words of Clause 20 in the Bill, which is that this sum shall be recovered by the seaman as wages, because you say that it would involve a law-suit which the seaman would neither be inclined nor able to conduct, and you propose that it shall be a matter of account at the final settlement of wages?—Yes, quite so, and that it shall be termed a final settlement of wages in the Bill.

Chairman—continued.

4465. In Clause 21, with reference to the delivery by the master of an account on discharge, you have an alteration to propose?—Yes, I think it should be clearly understood that there are two kinds of account which the master has to render. In the first instance, there is the ordinary deduction book, that is, entries made into a memorandum book of articles, slops or advances that have been supplied to the seaman. It is proposed that the seaman should initial each of those entries, and that they should be made in a counterfoil form, and that the master of the ship, on arriving, should tear out one of those counterfoils and present it to the seaman, or else to the Board of Trade officer in the event of his transmitting his wages. There should be two separate accounts, the deduction account and the account of wages. The account of wages is delivered to the seaman at the final settlement of wages, and that includes the deduction account and the account of the pay and allotments and advances to the men.

4466. Have you a sample of such an account?—This is a very rough one indeed; it is one that I got from the Mercantile Marine Office, but it shows how it is kept (*delivering in a document*); other deduction accounts have printed forms.

4467. But you propose an improved form, do you not, to this?—Yes.

4468. Can you give us a draft of the improved form?—The improved form is at the end of the paper.

4469. I understand that if this account is kept current between the master and all his seamen during a voyage, on the discharge of the seamen he can tear off the counterfoil and give it to them, and that will state every deduction which has been made for slops and other things during the voyage?—Quite so.

4470. There would remain to be settled afterwards both the credit account and the wages due, and also any other deductions which have been made, either by advance notes, or by allotment notes?—Quite so.

4471. The calculation of the account would easily be made out by the superintendent of the Mercantile Marine Office?—Quite so; it would not be made out by the superintendent, but would be liable to be checked at a glance by him.

4472. How would it be made out?—Either by the master or the broker; but it would be open to be checked by the superintendent when the man came up for his pay.

4473. How would the master get a statement of the allotment notes and advance notes?—He gets them from the owner, who produces the receipts for them.

4474. Would there then be no difficulty whatever in a man being released at once upon his discharge, and enabled to go home?—No difficulty.

4475. From your experience, would it be of the greatest possible advantage to a seaman to be allowed to get home at once?—I think it would be the greatest boon you could give a seaman.

4476. That would solve the whole difficulty we are seeking to contend with of the way in which those men are cheated and demoralised by crimps?—Yes; and with the abolition of the

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advance note, we need not trouble ourselves about the 4th clause. I think you place the seaman in a better position at once if you do away with the advance note, expedite the payment of wages, and enable him to get to his home as soon as he can.

4477. If this plan of account was carried out you say it would be an enormous advantage to the seaman, and you tell us as the result of your experience upon the subject that there is no practical difficulty in the way of it?—There is no practical difficulty.

4478. I presume when the counterfoil is given to the seaman, the master would give him a few shillings to go home?—It is proposed that he should do that; that in lieu of the 2 *l.* that the man would receive on discharge he should receive 10 *s.*

4479. Do you think 2 *l.* too large a maximum?—I should be inclined to say 1 *l.* I think that would meet the case.

4480. That would be the maximum sum; might not the minimum be 2 *s.* 6 *d.*?—It is necessary that he should have 10 *s.* We propose to give a man, if he wants it, a railway pass to carry him home; but he wants something for incidental expenses on the way. He may be out a night, and he may want a lodging, and he may want liquor, and such like.

4481. Do you believe that men discharged at Gravesend would most of them take advantage of this plan?—At Gravesend we have very few men discharged; but I know as a fact that in London they hail it with the greatest possible delight. I will just read one of the reports which I get from my Inspector at Blackwall, every morning, of the ships that he visits, and the number of passes that he has issued to the men who wish to proceed to their homes, showing the difficulty which we have to contend with from the captains under the present law. He boards a vessel called the "Timaru," and says: "There were 12 men on board this ship who wished to go home, but the captain refused to give them any money, or their deduction account. The men went to the captain themselves, but he still refused. The men were greatly disappointed." That is a report I got the day before yesterday, and I have here other reports bearing on the same question. In another ship there were five or six men wanted to go home, but the captain would not advance them any money; that was the "James Nicol Flemming." In another instance there were three more men wanted to go home, but the captain had no money. We have a staff at Blackwall, and I get these reports from them every morning.

Mr. *Macdonald*.

4482. The "James Nicol Flemming" is a Glasgow bottom, is she not?—I think she is. I have here another instance: "I boarded the barque "Frith of Forth," from Iquique, in Woolwich Reach. The captain met the ship off Blackwall; I spoke to him in reference to the seamen's accounts of wages. He said he had been all day reporting the ship, and that he was to study himself first before he did the seamen; he said, 'Let them go to the Sailors' Home, the same as they used to do.'" I merely mention this to show the feeling on the part of some of the masters. As a rule they are kindly disposed towards the men and very glad to benefit the seamen; but you come across, occasionally,

Mr. *Macdonald*—continued.

perhaps one-fourth of them who are quite indifferent to the interest of the sailor.

Chairman.

4483. Do you think that the amendments in the form of account which you now propose, would add any work at all to the master's duties?—Nothing appreciable; it is merely a repetition of entries in a book of such articles as a pound of tobacco, &c., repeating it a second time in the counterfoil.

4484. What alteration do you propose in Cclause 22 on the subject of the settlement of wages; I observe in the first line of that clause you propose to substitute for the words, "Where a seaman is discharged at the end of his engagement," the words, "When the final settlement of a seaman's wages is effected;" what is your object in making that substitution?—It was not clearly defined before when a man was discharged, and I think the final "settlement of wages" is clearer.

4485. It also corresponds with a previous amendment which you propose?—Yes.

4486. What is the first new sub-section which you propose?—The first sub-section is, "At or before the final settlement, the owner or master shall deliver to the seamen, or the superintendent on his behalf, a full and true account, in a form sanctioned by the Board of Trade, of his wages and of all deductions to be made therefrom." This is the final account, the account of wages; the other was the deduction account. This "may be made up by the broker, or captain, or whoever chooses, and should be handed to the seaman, or the superintendent, at the time of the final settlement of his wages.

4487-8. What have you to say with regard to the 5th sub-section of Clause 22?—I proposed that it should read thus, "If the seaman at or before the time of the final settlement of his wages before the superintendent agrees by an agreement made in the form prescribed by the Board of Trade, and signed by him in the presence of a superintendent, or deputy superintendent, or of an officer duly appointed in that behalf by the Board of Trade, to accept a portion of his wages, and to have the residue deposited with the superintendent, then, on the residue being deposited, in accordance with the agreement, the wages shall be deemed to have been paid at the date of the agreement."

4489. That is only an addition?—Yes; the addition is with regard "to the superintendent or officer appointed in his behalf"; but I have made some notes, with reference to my work, as to the transmission of wages; and, although it is going over the same ground, I might introduce them here. One of the great evils of the present system is, that seamen, after their discharge from their ships, are kept waiting two, three, or four days for their wages; arriving without funds, and, perhaps, at a port where they have no friends, thus compelling them to fall into the hands of crimps. To obviate this, it has been arranged by the Board of Trade that, on their arrival, seamen may transmit their wages to another port, payable at the Mercantile Marine Office there, and receive a railway pass to that place; also a sum of 10 *s.*, which the master advances them on account of their wages. To accomplish this, it is necessary that the master shall have totalled up their "deduction accounts" (or the amount of the advances made to them either

Chairman—continued.

either in money, slops, or tobacco) before their arrival at the port of discharge, and that he shall have obtained the signature of the seamen to their respective accounts in satisfaction of its correctness. The Board of Trade officer on the ship's arrival obtains this, and enters it in a document, which the seaman signs, authorising his wages to be transmitted, and also empowers the superintendent to decide for him, should any dispute afterwards arise with the master as to fines or forfeitures. The seaman then receives his railway pass and the voucher enabling him to receive his money at the Mercantile Marine Office." I have brought a form with me, and perhaps it may be interesting to the Committee to see the way in which the accounts are made up (*delivering in the same*). It is in contemplation to frank the seaman by a licensed van from the ship's side to the railway station, in accordance with an approved scale of fares, and then by railway pass to his home, or the place to which he has transmitted his wages.

Mr. *Bates*.

4490. Does a man of the Board of Trade go with them?—No; it is proposed to have a licensed van for that purpose from the docks to Euston Square, at a certain tariff; but at present it is only in contemplation.

4491. Do you leave him at the railway station?—Yes, we do not send an officer with him. The details of the arrangements are not quite settled yet; probably he will have a voucher given to him which will pass him to the railway station. He has a railway pass given to him as he goes over the ship's side, franking him to the Mercantile Marine Office, thus saving him from putting his hand in his pocket for any fare. With reference to this, I should like to illustrate a very hard case where we might have been of very great assistance to the men; it occurred at Gravesend last month. The ship "Accrington," a very large ship, with a crew of 38 men, arrived at Gravesend, but she was detained for four or five days on account of the water in the river. After the third day, I think it was, they decided to discharge her crew at Gravesend, and the seamen were told to appear the following day at the Mercantile Marine Office in London for their wages. Those men had not a farthing in their pockets, and they were away from the place where they were to receive their final settlement of wages, and had no means of getting there. Our officer went on board, and found that there were 28 men who wished to go to Liverpool, or to other ports, and for the reason that the deduction book was not made up, and the captain not in a position to advance them any money, they were sent away; the consequence was that they went over the side, and naturally would fall into the hands of crimps, for those fellows are always ready, and knowing that the ship was off Gravesend, they knew that the men would have to come up by rail; however, I telegraphed to the Sailors' Home, stating the case, and asked them to be on the lookout for these men in London, and send carts for them; I afterwards learned from the Sailors' Home that they had rescued 17 of them, but I think that there were 11 who could not be accounted for; probably the crimps had got hold of them. This shows an instance where a great injustice was done to the seamen in dis-

Mr. *Bates*—continued.

charging them from the ship at a place 20 miles from where their wages were paid, and without a farthing in their pockets; I was only in hopes that some legal proceedings would have been taken in the matter.

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Chairman.

4492. Will you state the alteration you propose in the 6th paragraph of Clause 22?—"The agreement so made and the receipt of the superintendent for the residue so deposited, shall be a full discharge on behalf of the seaman to the person depositing it, and shall be deemed to be equivalent to his signature to the release." That is as soon as our officers receive their signature to the deduction account, and to the order for the transmission of wages, that shall be deemed an equivalent to the seaman's release. This 6th paragraph in your paper is in place of the 5th paragraph of the 22nd clause of the Bill?—Yes.

4493. What is your general opinion about advance notes?—I look upon the advance notes as the primary cause of the present demoralised state of the merchant sailor. I think their abolition should be gradual; and that, at the end of this year, they should be reduced to half a month, and at the end of the next year they should be abolished entirely.

4494. Are advance notes now given for one month's wages?—Yes.

4495. Your proposal is, that they should never exceed a fortnight's wages?—Not until the end of 1879, and after then they should be abolished altogether.

4496. There is nothing in law, or anything more than custom that makes it a month's wages?—It is a matter of custom; it is not the law, but I would make it law, and say that no advance beyond a fortnight should be given. I should not compel them to give an advance, but, if they did give an advance, it should not exceed a fortnight, after the close of the present year.

Mr. *Macdonald.*

4497. You mean a fortnight's wages?—Quite so, and at the end of 1879 it should cease altogether.

Chairman.

4498. Supposing that law was made, do you not think that it would be evaded, and that the master, in some shape or other, either in money or in outfit, would offer sums in advance to induce the crew to join?—I think the evil is in the promissory note which the man receives, which immediately goes into the hands of the crimp.

4499. Do you not think that the master would have, in some way or other, to advance money to help the man with an outfit?—Yes; but I think I should leave him to advance money to the seaman, as a matter of arrangemant, or it should be left to his discretion. If a man came on board destitute, he should give him so much money.

4500. Do you think that the masters would prefer to advance money to seamen?—I think that it should rest with their own discretion.

4501. But do you think that they would do so?—I think so.

4502. Would not such money advanced very soon find its way into the crimp's pocket?—Yes,

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it would; but I do not think, unless there was a *bonâ fide* debt made out, to provide clothes, or anything like that, that the master should advance him the money.

4503. Have you any plan in your head by which a master might supply the necessary outfit to the seaman without advance notes?—I think, as I said before, that it should be left to his discretion to make certain advances for paying certain bills which the man owes, and so on.

4504. Is it your idea that the master should keep outfits on board to sell to the seamen?—I think it would be a good plan; but the principle is bad on the whole; I think it necessary that it should be done, you must rely upon the owners exercising a certain check and supervision over their masters, so that the system should not be abused.

4505. You would not be afraid of the masters turning crimps themselves?—No; I think we should leave it to the owner to exercise a certain amount of check upon them.

4506. Your general suggestion is that advance notes should be gradually abolished?—Yes.

4507. Have you any suggestion as to the improvement of the law with regard to allotment notes?—My opinion is that seamen should be allowed to allot one-half of their pay to their own credit at any mercantile marine savings' bank, and the first allotment should be one-half of the third month's wages; I do that in order that his owner shall have in his possession three months' wages as security against the man, so that at the end of the three months the first allotment, that is, half a month's wages, shall be paid to his credit at the Mercantile Marine Office or savings' bank, so that at the end of the fourth month there would be two half-month's wages due. It is only one half of a month's wages that he allots, after three months.

4508. I suppose you think that the evil with regard to seamen arriving home is, that there is a large sum accumulating and becoming due in a lump sum at his discharge, whereas the plan which you propose would make the payment gradual during the course of the voyage?—Quite so.

4509. And be secured in the savings' bank?—Yes.

4510. Being in the savings' bank it would bear interest also, would it not?—Yes, and on the seaman's arrival in England, he would have probably 15 *l.* in the bank, and perhaps he has to receive 25 *l.* or 30 *l.* My knowledge of the man leads me to say that he may probably spend that 25 *l.* in a reckless way, and the other, I think, he would hold on to. At all events it would be encouraging provident habits in the man.

4511. Is it not generally the fact, that when a man begins to save, he gets fond of his money?—Yes; I know frequently in the naval service, when we were in the habit of paying the men off, probably 60 *l.* or 70 *l.* was due to a man at the end of a commission, and the whole of it went in the same manner as it does now with the merchant seamen, and produced the same demoralisation in those days as with the merchant seamen of the present time, but by degrees the Admiralty legislated for them, and an interest was taken in them, and now I do not think there is a better or more respectable class going than the naval seamen, and all this has been the gradual work of about 30 years.

Chairman—continued.

4512. Your proposal would be that the 169th section of the Act of 1854 should add to the category of persons entitled to receive the allotment such as wife, father, mother, and so on, and make the allotment note to the seaman's own account at the savings' bank?—Yes, but I would not interfere with the present system; I would add to it. A man should still allot to his wife and his relatives, as at present, or if the advance note were done away with, the allotment would be payable at the end of the first month to wives and relatives. It is not often the case with regard to advance notes that the wives and relatives get the benefit of them; it is a very little sum that they get out of it. If the wife is living in another part, the chances are that she gets none of it, and the man receives it, and squanders it all away. Of course there are exceptional cases, but it is a choice of evils. In the case of allotment without advance the wife has to wait longer for her money, but she gets the whole of it.

Mr. *Macdonald.*

4513. If the advance note was done away with, you would provide that she should get it at the end of the first month?—Yes. At the present time, if a man does not take his advance note, his allotment commences at the end of the first month; that is customary now.

Chairman.

4514. We have been told that, in the provisions of the various clauses of the Bill for giving an alternative of a forfeiture of wages instead of imprisonment, there would be a difficulty in ascertaining what the forfeiture should be, where the men were in receipt, not of wages, but of a share in the profit; do you think it is a good proposition that, in those cases in which, by the existing law, it is sometimes difficult for the magistrates to decide exactly what the proportion of the share is equivalent to the wages, there should be also the alternative of fines up to a certain amount instead of the forfeiture of wages?—That is a matter which I have hardly studied.

4515. Have you anything else to add?—I do not think anything else occurs to me.

Mr. *Bentinck.*

4516. With regard to the first suggestion which you make on the 5th clause, where a man fraudulently gives a false name or address, or a false statement of the name and description of his last ship, or of his last rating, or last alleged rating, and also where a seaman or apprentice to the sea has received money on account of wages payable under an agreement, and, before repayment thereof, wilfully and without reasonable cause, refuses or neglects to perform the agreement in respect of which the money was paid; in your opinion, considering the habits of seamen of the very worst class, which this suggestion refers to, is not the punishment of imprisonment without hard labour looked upon by that class of men as no punishment at all?—I do not think that I have had sufficient to do with them to offer an answer to that question. I do not think that I could give an idea of what seamen's views are in that case, but I should say that hard labour would be necessary where it was proved against the man.

4517. In

Mr. *Bentinck*—continued

4517. In your opinion is imprisonmentwithout hard labour adequate to the offence?—No; I think it should be with hard labour.

Mr. *Bates*.

4518. You stated that you had tried a system of remitting money home for the men during half of the month of February and the whole of March last, and you say that in February you sent home 58 men, and in March 59 men; can you tell the Committee how many men in those same ships, during the same period, would not send their money home, and also the number of ships, and the number of their crews, out of which you sent home 58 and 59?—Yes, I will do so.

4519. I think I understood you to say that the inward wages which amounted to from 10 *l.* to 50 *l.*, are a great boon to the crimp; in other words, that is the money that the crimp tries to get hold of?—That is so, of course.

4520. If a sailor has from 10 *l.* to 50 *l.* to receive on coming home, can you tell the Committee what the difference would be if it were 2 *l.* 10 *s.* less than that. Supposing that instead of 50 *l.* to receive he had 47 *l.* to receive; what difference would it be to him?—£. 3.

4521. Do you think that if he had 3 *l.* more or 3 *l.* less, that would put a stop to crimping?—No, it would not. He would not get as much probably, by 2 *l.*, out of it.

4522. Should you say that it was the advance note on the return voyage which enabled the sailor to fit himself out for the outward voyage and get his kit and tarpaulins, and so on?—Undoubtedly, I think so. It not only enables him to fit himself out (it is a very bare kit he gets, just a bar of soap, a box of matches, a blue guernsey, some oilskins or something of that sort), but it enables him to to get drunk and to desert his ship, and he fails to join in consequence; it gives him the means of doing that, and that is the evil.

4523. Then you think that his spending his inward wages, as you state, recklessly, has nothing to do with his demoralisation?—No, I do not mean that.

4524. But he only loses 3 *l.* out of 50 *l.*, you say?—I did not say so. It is not only the loss of his money, it is what results from that money being taken from him. It results in drunkenness, and he is pitchforked on board ship in that state with a very poor kit. With regard to that I may say that I boarded the vessel "Esipingo" on the 6th of February.

4525. Was she an English ship?—Yes. I think she was a barque of 500 or 600 tons, but I am not quite sure as to that. When I went on board of her I found that a substitute was shipped on board by a boarding-house keeper who had brought the man down from London, giving him, in exchange for the advance note, a ragged kit which was not worth 10 *s.* That crimp, you see, took the trouble to bring him down, and that is all he gave him in exchange for the 3 *l.* 5 *s.* I know that to be a fact, and I have reported it to the Board of Trade officially.

4526. You say that you have nothing at all to remark about Clause 4?—No.

4527. Have you ever commanded a merchant ship?—I have, as prize master, but never in e merchant service. In that case we had a

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Naval crew. It was from Africa to the Coast of Mexico.

4528. You say that the settlement of wages should be within 48 hours after a man legally leaves the ship?—I think so.

4529. I presume you mean the final settlement?—Yes.

4530. Then when the ship arrives, you propose that this amended account of his deductions should be given to him?—Yes; the counterfoil from the deduction book should be taken out, and given to him.

4531. And you recommend him to have a little money given him?—Yes, he should have a little money.

4532. And in 48 hours his wages are to be paid?—Yes, according to my proposition; that would be the final settlement.

4533. Up to what time is a man to receive his wages?—Up to 48 hours after he arrives.

4534. Then he is to be paid his wages until the time that he legally leaves the ship, whenever that may be?—Yes, until he legally leaves the ship, with the sanction of the master.

4535. And within 48 hours he is to have his final account?—Yes, made up to the time when he legally left the ship.

4536. But there is one point which, perhaps, you have not considered. Are you aware that sometimes 100 or 200 ships arrive in a day?—No, I am not. I have never known that; I have been here 3½ years, and the greatest number of foreign-going ships has been 27, I think, in a day. I am now only alluding to London.

4537. When do the coasting ships pay their wages?—The coasting vessels pay their wages on board.

4538. Do you mean that only 27 ships, steamers and sailing vessels, arrive in a day?—Yes, deep-sea and foreign-going ships.

4539. Supposing that the whole of those 27 steamships and sailing vessels had to pay off their wages 48 hours after their arrival, is it possible for the shipping master to pay them off all in one day?—You must bear in mind that there are two shipping offices in London.

4540. Supposing there were three, did you ever know a case where the shipping master told the owner or the captain, "Come to-morrow, I cannot pay off to-day, I have no time"?—I think that is very exceptional.

4541. Have you ever known such a case?—No; I have not known such a case.

4542. Have you ever heard of such a case?—No, I cannot say that I have.

4543. Would you be surprised if it were shown to you that there are numerous cases like that?—I should be surprised if there are numerous cases; very much so.

4544. You say that the seamen would have to recover by a law-suit, which he never could or would do; are you not aware that there are certain petty lawyers who are always ready to take up Jack's case if he has got any money in his pocket?—Yes; but I think there is a far simpler method, that the captain should pay the penalty there and then, if he failed to comply with the law, and that he should pay through the shipping master, and save all legal proceedings and trouble with the seamen.

4545. You say that you would give a sailor 10 *s.*, or, if it was a short voyage, if he had only a

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very small amount due to him, you would not give him so much money, but up to 10*s.* you would give him to go home with?—Yes; provided he had transmitted his wages to another port; in other instances I would give him 1*l.*

4546. In the case of a sailor going from London to Liverpool, do you think that 1*l.* would be sufficient?—I think 10*s.* ample.

4547. What is his railway fare?—But we arrange his railway fare.

4548. I am now dealing generally with it; is 10*s.* enough?—Ten shillings is not enough if he does not transmit his wages; I say 1*l.*

4549. Would 1*l.* even be sufficient?—He would have his pay before he went to Liverpool, he would have it in his pocket if he waited for it; if he has not transmitted his wages he would receive his pay before he left; but we only propose that he should have 1*l.* himself so that he shall be independent of the crimps, and he shall be able to select his own boarding house and go where he likes. But when a man lands without a farthing in his pocket, he is completely at the mercy of those men; he cannot help it.

4550. Do you think that if he has money in his pocket he will keep sober and all the rest of it?—No, I do not think so; I know too much of men for that; but I think it places him in an independent position; he may take advantage of that independence or not.

4551. Then you propose that in the case of all those men that you remit money for, the Government should see them safely sent off to the railway station?—No, we give them orders, and they find their way to the railway station.

4552. I understood that you were to have a van?—Yes, but we do not undertake any supervision beyond that; we have not as yet; I believe it is in contemplation that a van should be licensed for that purpose to take them from the ship's side to the railway station. We undertake no responsibility in that way; we give them their passes or vouchers. A man who would be willing to remit his money from one end of England to the other, would be likely to be able to resist the temptation of the hour in going to the railway station.

4553. Where a man did not remit his money, what would you do with him?—Then he should receive 1*l.* on leaving the ship.

4554. And there you would leave him?—Yes, there we would leave him.

4555. You would not send him to the railway station?—I do not see what cause there would be. Such men would have to wait for the final settlement of their wages; it would be at their own option.

4556. Then the other men are not to wait two days?—They go where they like, and their money is paid wherever they go to; if they go to Liverpool or Dundee, their money is paid them the day after, or two days after they get there.

4557. They give you an order in the meantime to receive their money?—Yes, those are the documents which I showed the Committee. We have been most successful in the plan we have carried out for the last two months; I have evidence to show how anxious men are to go, more than we could send off. In addition to 50 or 60 men a month there have been at least 150 more whom we would have sent if we had had the deduction accounts of the masters, and had

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they been in a position to give them 10*s.* to enable them to go home and pay their casual expenses.

4558. I suppose you know the kind of homes that those men have when they arrive?—No, I do not. I should hardly expect at present that they would be of a very good description, because on the average it is only about one-third of the crew that avail themselves of the privilege. I have addressed the crews of several ships, on their arrival at Gravesend, and have asked them if this scheme would be agreeable to them; they one and all expressed the greatest interest and delight in it; and I calculated roughly that about one-third of the men would avail themselves of it. About one-third have no homes, who live in boarding-houses, and about one-third live in the port that the ship hails from.

4559. From your knowledge of seamen, did you ever know a sailor in your life that was offered money refusing it?—No, I do not think I did.

4560. Therefore if the captain of a ship offered 10*s.* or 1*l.* or 2*l.* to the men to go home, they would take it, would they not?—They would all take it. We propose to enforce it, and that it should be a law.

4561. Provided they would require it; but did you ever know a sailor in your life refuse to receive money?—No.

4562. Then they would all take it?—Yes, they would all take it.

4563. And, I suppose, they would all get drunk?—I think you would judge wrongly, if you say all.

4564. But generally speaking?—After a man has been penned up in a ship for a year or 18 months, I suppose, he goes into the first public-house he comes to.

4565. And, perhaps, he has had some grog before he gets to his lodging-house?—I daresay.

4566. Is there no place where wages could be paid at Gravesend?—Yes, I am superintendent of the Mercantile Marine Office there, and I say we could, and we do, pay off the ships sometimes.

4567. Then why do not you pay them off there?—That has nothing to do with us. It rests with the owners where they choose to pay their ship off. That has nothing to do with the Board of Trade.

4568. Do not you think that, on an application to the owner of the ship "Accrington," who was in Liverpool, if you had sent him a telegram or written him a letter, he would have arranged to pay them off there?—No, it is not my business to do it. I am not aware who the owner was; but the owner did not exhibit any interest in the men in the instances I have mentioned.

4569. I think one of them is a member of the Marine Board, and one of the leading men at Liverpool?—Then, probably, he was in ignorance of this ship to which I have referred. It was in the hands of his agent, and he was not aware of it.

4570. You said that the advance note, you think, is the primary cause of bad seamen, and that it demoralised seamen?—I do think so.

4571. And yet you say that a sailor, who has to receive from 10*l.* to 50*l.*, will very often get rid of half of it in the first day or two?—Yes.

4572. Do

Mr. *Bates*—continued.

4572. Do not you think that that, perhaps, is the more likely cause?—That is one reason.

4573. Of course, when a sailor arrives in port and first gets his usual wages, if he conducts himself in the way you state, that is the primary cause, is it not?—Yes, if he arrives there; but he may sail from that port, and then he is demoralised in the first instance by the advance note.

4574. In the first instance, he gets to sea?—He may come from another port, as they very often do. For instance, a man who arrives in London may have shipped in Liverpool, and the next time we send him home.

4575. He belongs to Liverpool, and if he has a wife and family, they very likely are there?—Yes.

4576. Did you ever know an advance note put to a good purpose?—Yes, I think it is sometimes, but as a rule it is not.

4577. What is it put to, as a rule?—As a rule, it goes into the hands of a crimp, and the man gets a very small portion indeed out of it.

4578. There is great difference of opinion about what the man receives. However, I am now asking you, from your own knowledge of the facts, when a man gets an advance note, he takes it to his lodging-house keeper, does he not, generally?—Yes.

4579. Perhaps he wants a pea jacket, or a pair of sea boots, or something of that kind; does he get that out of his advance note?—What I know is, that he would get very little from his advance note in the shape of a pea jacket; he would, probably, get an old ragged smock frock, and a pair of trousers and a bar of soap; he would never get a pea jacket out of his advance note.

4580. Would you say that he may get a tarpaulin?—I have come here to give my opinion from individual cases.

4581. Individual cases do not prove the case?—But they give one experience, and from them I form my opinion; I have had a good deal to do with them.

4582. Did you ever know a good sailor, a sober man, take an advance note?—Yes.

4583. What did he take it for; is it to send to his family?—I do not know what he took it for; it may be for his friends, or to pay off probably his boarding-house, or very often men from the Sailors' Home, very good men indeed, receive their advance notes, and they pay the Sailors' Home with them. Many good men receive their advance notes at the Sailors' Home.

4584. You mean that they are in debt to the Sailors' Home?—Yes.

4585. Therefore, unless they have advance notes they could not go to sea?—They could go to sea. It would be a breach of confidence if they did not pay the Sailors' Home. Very often the Sailors' Home allow them to proceed even without paying them if they know the man.

4586. How long do you think the Sailors' Home would exist in London if that was to be the rule?—It is a very prosperous institution now. I know that it does exist, and I know that that is the case. I do not mean to say it is the rule, but I say there are exceptional cases where the Sailors' Home does allow a seaman to go to sea in debt, because they know the man, and they have confidence in his coming back again.

0.54.

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4587. That is in individual instances that you know?—Yes.

4588. What is generally done at the Sailors' Home in London with men who are in debt to the Sailors' Home?—They receive their advance note and pay the Home out of it. That is the general rule, undoubtedly.

4589. And therefore, generally speaking, unless a man has an advance note, he could not go to the Sailors' Home to begin with; they would not take him in if they were aware that he would get no advance note and had no money?—What I want to legislate for is that he should eventually have funds himself, and be independent of advance.

4590. I am now talking to you of the present case. At the present moment a sailor goes to the Sailors' Home penniless, very often?—Yes.

4591. And the Sailors' Home will keep him for a week perhaps, till he can get a ship?—Yes.

4592. They knew when he went there that he would have an advance note, and that they would repay themselves?—Yes.

4593. Suppose they knew that he had not got an advance note, would they take him in?—I think they would, and get him a ship at once.

4594. That is the custom in London, you think?—Yes. I do not think in all cases, as you say, the Sailors' Home could stand it, but in a good many cases it will. It is a philanthropic institution, and they try to assist sailors. You must remember that they charge a small percentage on the advance notes in order to avoid loss, so that they can afford to lose occasionally and also afford to be liberal.

4595. What do they charge as a per-centage on the advance note?—Five per cent. on the advance note; it gives them a little money in hand too, on account of losses, and they can afford to be liberal with the little profit that they get.

4596. You said that they would to a certain extent take the men in penniless, knowing that they would have no advance note and no means of repaying; will you tell us how many you call a certain number?—That is a matter which must be left entirely to the discretion of the manager; he would know exactly what his funds could stand, and how far his liberality could extend in that way; it is left entirely to the manager of the institution as a matter of detail.

4597. During your experience of merchant ships and merchant sailors, have you ever known cases of distressed seamen being sent home from abroad?—Yes.

4598. What becomes of them on landing?—As a rule, I think the men generally have some kind of clothing, or some kind of kit. There are instances where they are perfectly destitute; I should think there are charities which are quite ready and willing to extend their hands to such men; in those cases I might say that I think the master of the ship should be empowered to give them an advance and to pay the advancing money; but I should not give them advance notes.

4599. Do you mean that the master of the ship that brings them home should give it them?—No, the out-going ship should give them the money.

4600. Supposing

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4600. Supposing those men arrive in a very weak state, as many hundreds do, where are they to ship; you would not take them to sea in that state?—Who would take men who were crippled or broken in health?

4601. I am dealing with a man perfectly convalescent; perhaps 10 days on shore with good food may set him up?—I presume he would have to find his way to a convalescent home or hospital to recover himself.

4602. Do they pay them for going in there?—I presume he would go to a charitable institution or the workhouse.

4603. Do they give him money when he comes out?—I think not.

4604. He is in the same state when he comes out?—Yes, except that he may be in better health.

4605. Where does he go?—He gets a ship.

4606. He goes on board the same day, and gets a ship immediately, does he?—He may or he may not.

4607. Do you know how many sailors are walking about the streets of London at the present moment?—I do not know. At the present moment there are a good many seamen in want of ships on account of the easterly winds that have prevailed lately, and the depression in trade, and everything of that kind; I know there are a good many at such times.

4608. Still you think that a sailor who has been brought home sick, after being 10 days in a convalescent home, is to go out penniless, and to go on board ship immediately?—He is to go on board ship; and I would leave it to the master to give him an advance to pay for his clothes, or anything which he required; but I think it is hardly fair that such very few exceptions should be the pretext for interfering with the legislation of a class.

4609. I am talking of distressed seamen; you say that they should go on board ship, and the master should give them an advance; do you mean an advance in cash, or what?—Yes; an advance in cash.

4610. You know we do not keep sentinels on board our ships?—No; I am aware of that.

4611. Supposing the master gives him cash, do you think that the sailor will remain there; is that your knowledge of seamen?—I propose that the master should pay with cash what was owing by the man; that he should liquidate certain debts or liabilities of the man, and also see that he had something to go on with.

4612. Is the advance note anything more or less than that?—An advance note is a promissory note, that if he goes on board and sails in the ship you will pay his debts.

4613. You would say that, in the case of a distressed sailor, or any other sailor, I suppose, that the master should be at liberty, if he liked, to advance money in cash?—*Yes.*

4614. Or to pay his debts?—Yes.

4615. Do you think there is any master in the kingdom that would do such a thing as that?—I do, undoubtedly.

4616. You have never commanded a merchant ship?—No.

4617. Did you ever hear of men who would do that?—Yes; provided you did away with the advance note.

Mr. *Bates*—continued.

4618. Provided you did away with the advance note, they would give them cash?—Yes.

4619. I think surely you do not understand my question?—I do, perfectly. I say provided the advance note is done away with, in the case of distressed seamen, or other seamen, they require that their debts should be liquidated, or that they should receive cash instead. I think that is perfectly clear.

4620. The captain holding the sailor's money in hand, as a matter of course?—No, not as a matter of course.

4621. Suppose he did not pay his debts with it, what then?—That has nothing to do with the captain.

4622. But the captain has given him money?—Yes; but it rests between the man and whoever he owes the bill to.

4623. But the captain has given him the money and he does not pay those debts with it?—But I imagine the money would only be given on the presentation of the bill for the debt.

4624. That is your idea of what the captain of a ship ought to do?—It is.

4625. You said, with regard to allotment notes, that the owner should keep three months in hand, and that, after three months, one-half of the wages on the allotment should be paid to the seamen, and the remainder put in the savings' bank?—Yes.

4626. To whose credit is it to go?—To the man's credit.

4627. Would anybody have power to take it out besides the man?—Nobody.

4628. Then the wife and children in the meantime would starve?—I think you misunderstood me. The present arrangement of allotting money to wives should remain. It is only in the case of the man being without friends that he should allot to his credit at the bank; it would be a little nest egg to him on his return.

4629. Then that does not apply to married men?—No; that does not apply to married men.

4630. Does it apply to men who have got a mother or father?—No; that should continue as it is at present. If the seaman receives no advance, he allots at the end of the first month; but if he receives an advance he allots at the end of the second month.

Mr. *Macdonald.*

4631. Do you propose that as an amendment to the existing law?—No, I do not; it is a suggestion of mine. I have no doubt there would be some opposition to it on the part of owners, but I think that it would be very beneficial to seamen.

Mr. *Bates.*

4632. Why would owners object to it?—For this reason: say that if a man deserts abroad, and has six months' wages due, he forfeits the whole to the owner; in this instance, supposing he deserted after six months the owner would only get four and a-half months' wages, and therefore I think a great number of them would object to the suggestion.

4633. But does that occur where a sailor deserts and does not get the wages?—It is the penalty if a seaman deserts, that he forfeits his wages.

4634. I suppose

Mr. *Bates*—continued.

4634. I suppose you are aware that there are places in this world where there are those regulations; have you considered well what you have read, or have you ever been to New York?—Yes, I have been to New York.

4635. Supposing a sailor goes from Liverpool to New York, can he get his wages there?—He is paid his wages there if he demands them. The United States law as to shipping seamen is nearly the same as our own.

4636. Supposing a sailor ships at Liverpool for New York and back and he deserts in New York, does he forfeit his wages?—He forfeits his wages I believe, I cannot speak positively, but I believe it is so. My impression is that he would forfeit his wages.

Mr. *Macdonald.*

4637. Are you aware that he can demand to be paid off there?—Yes; I have stated that he can be paid off there; but should he desert, he would forfeit his wages.

Mr. *Bates.*

4638. You stated that the owners would not like it, and you gave as a reason that the owners would get the wages. I will give you a case where the owner would not get a penny?—It must be a very exceptional case if it is so. New York is an exceptional port in the first instance.

4639. Take San Francisco, what is the rule there?—I have no doubt it is the same.

4640. Instead of being a benefit to the owner, provided a man deserted and his wages were forfeited, are you aware that to get sailors in those ports you most likely would have to pay three times the amount of the wages monthly, in order to obtain them?—That is true.

4641. Therefore that would be no gain to the shipowner?—It may be the seaman has only a few weeks' wages due, or what is most likely, he may have a great many months. The vessel may have gone the round and finished off at New York; she may have been out to China and the Cape of Good Hope, and come home *viâ* New York, so that there may be 18 months' wages due; in the latter case it would be an immense gain to the owner.

4642. He can claim his wages, every penny, and the owner cannot keep one penny of it, according to the law of New York?—I am alluding to what is English law, and what is our own Act of Parliament, and that is, if a man deserts his ship, he forfeits his wages. (*Vide* Appendix.)

4643. You say that if the man deserted in New York, the owners would be benefited, but I have told you why they would not be benefited, but would lose very heavily?—But that is only a single port; our trade is not confined to New York or America; we have a certain trade there, no doubt, but our principal trade is with the colonies and with the East. (*Vide* Appendix.)

4644. We will take our colonies, take Calcutta and Bombay; are you aware that a sailor frequently leaves his ship at Calcutta?—Yes.

4645. Are you aware that in order to get released he has to sign articles before the magistrate?—Yes.

4646. Are you aware that his wages must be paid him if he is left in the country?—I am

Mr. *Bates*—continued.

speaking of his deserting from the ship without the sanction of the master. (*Vide* Appendix.)

4647. Do you know that ships often leave men there?—I am speaking of the men deserting the ship; it is the act of the men and not of the shipper; a man purposely deserts from the ship, and I am only alluding to it in that case.

4648. You stated that a sailor should put his money in this Mercantile Marine Bank; would you make it the law that a sailor on joining a ship should leave his allotment money, or should pay it into the Seamen's Mercantile Marine Savings' Bank; would you make that compulsory?—I would make it compulsory at the direction of the seaman, if a seaman wished it it should be compulsory on the part of the owners to pay his allotment.

Chairman.

4649. Would you make it compulsory on the sailor?—No, not compulsory on the sailor.

4650. Then the sailor could do as he liked?—It should be optional with the sailor to do it, but compulsory on the owner if the sailor required it.

Mr. *Bates.*

4651. You say that he would most likely, if he had followed the system of putting money into the bank, have 15 *l.* in the bank when he came home, and 25 *l.* to receive in addition?—Yes, as a case for illustration only.

4652. Then do not you think he would squander that at once?—He may or he may not; he may squander it of course.

4653. Then he would squander 25 *l.* at once?—I do not say necessarily so.

4654. Did you ever know a seaman in your life, if he was in that state that squandered the 25 *l.*, would not go and get the other 15 *l.*?—No; I do not think he would, as a rule. As long as the money is secure in the bank a man does not care to take it out. I do not mean that a man would necessarily squander 25 *l.* because he had it, but he may get tempted to do it.

Mr. *O'Shaughnessy.*

4655. All that you would say is, that he would probably do it?—No, I would not go so far as that.

Mr. *Sanderson.*

4656. The advance note might be necessary for providing an outfit?—Yes.

4657. I want to ask you how it is generally used from your experience?—It is the exception when it is not used in this way, but it is generally cashed by the crimp, and the crimp receiving it gives the sailor in return just a few articles, and perhaps a few shillings.

4658. You were speaking of some articles that you know to have been given by the crimp in exchange for an advance note; will you kindly state what those were?—He received a ragged kit, a tarpaulin suit, and I think he had a pound of tobacco and a bar of soap; I think that was all.

4659. Do you think, speaking practically, that the advance note is of any great utility in fitting out a seaman for sea?—None at all; I consider it an immense evil.

Mr. *Macdonald.*

4660. You were asked a question about distressed seamen; what number of distressed sea-

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Mr. *Macdonald*—continued.

men may arrive in London annually?—I am not prepared to answer that question.

4661. I mean, are they very numerous?—No, the number is very small.

4662. There is no reason, is there, for having an exceptional condition of things for those class of men called distressed seamen?—Certainly not.

4663. If there were distressed seamen, do not you think that there is in the port of London, and about seamen generally, men who would be found to come forward to aid seamen who were in such a condition?—Undoubtedly.

4664. If a distressed serman was going on board a ship, and he bore a good character, do you think from your experience that there would be any difficulty whatever in that man finding a captain in the port of London who would give him means to clothe himself and get away?—I think, as a rule, that would be done; there may be exceptional cases, perhaps, where it would go hard with the men, but I do not think in legislating for the class of seamen that the few exceptions of distressed seamen should influence an important and beneficial measure to the class generally.

4665. You were asked whether if Jack required a pea-jacket, and so on, the crimp did not give him such things; have you ever known in your experience of three years that there has been a pea-jacket given by a crimp to a sailor as a portion of his outfit?—I do not think so; of course I have not had an opportunity of seeing what actually has been given. My duties have been connected with the men, but not to that extent to see what they actually receive in exchange, but occasionally those cases are brought before me, and I form my opinion upon them.

4666. You were stopped when you were about to give certain cases upon which you had founded your opinion; I think you were going to say, that you had found frequently an oilskin given instead of a tarpaulin?—Yes.

4667. What is the value of an oilskin?—The oilskins that I alluded to in the case on board the "Isipingo," were valueless; they were ragged old things that had been got out of a dust-hole or somewhere; the inspector who was with me valued the whole kit at about 10*s.*

4668. Have you any idea of what was the amount of the advance note that was given to the seaman for that 10*s.* worth?—I imagine 3*l.* 5*s.*, the monthly note.

4669. And you think that the value of the goods given would be about 10*s.*?—Yes.

4670. Have you formed any estimate of what is about the amount the sailor will get from the crimp out of that 3*l.* 5*s.*?—It varies considerably according to the class of boarding-houses; there are some boarding-house keepers, no doubt, who are good men, and who look after the interest of the sailor, but there are others who get every farthing they can possibly screw out of them; I think in the worst cases the sailors probably lose about 70 per cent.; that is to say, the boarding-house keeper receives fully 70 per cent. from the note, but of course there are other instances where it is much less.

Chairman.

4671. That is in the shape of discount as he would call it, but which people generally would call stealing?—Yes; the value of the goods

Chairman—continued.

supplied is all that the sailor has got in return for it.

Mr. *Macdonald.*

4672. They steal out of the man's advance note 70 per cent?—Yes; in the worst cases that is so.

4673. Are there not crimps who are very benevolent, and who give him the full amount of the note?—No, I should say not, except in very rare instances.

4674. You have stated that a considerable number of men have applied to you, and you have documents here showing that you have sent them away by railway to their own homes; have you ever found the men spurning such an offer and treating it with contempt?—No; they are only too glad to go if the opportunity is given them, but the opportunity has been withheld by the deduction books not being made up by the master, and also his not being in a position to give them the necessary advance of 10*s.* which they require.

4675. In your opinion, is there any question that by far the majority, if the master would make up their accounts and let them go, would desire to leave at once for home?—The majority of them would I have no doubt; there are a certain class of men that I do not think would ever benefit by any legislation, but you must legislate for them as a whole.

4676. What is your opinion on the condition of the sailor now as compared with what he was a few years ago; is he improving, or is he getting hopelessly worse?—I think he is improving. I find from the returns from the savings banks (and I think that is a very good test) that the deposits have been on the increase of late years, and not only the deposits, but when a man receives his money, he can transmit the whole of his wages, if he likes, to another port, and they very frequently do. This is immensely on the increase lately, and therefore I think it shows that the tone of the sailor is improving.

4677. Are you aware that some time ago a return was made which exhibited the sums of money deposited by the seamen of the mercantile marine, and the money forwarded was greatly in advance of former years?—Yes, I am aware of that.

4678. So that looking to the substantial aspect of the seaman's character, you think he is improving?—Yes, I think he is improving.

4679. If the advance note was done away with, do you not think that his improvement would be rapidly facilitated?—Undoubtedly it would.

4680. And as you properly stated at the outset, you believe that the advance note is at the bottom of the whole demoralisation?—I do sincerely think so.

Mr. *Gourley.*

4681. Have you any evidence to offer in proof of the allegation which you have put before the Committee, that shipowners object to the compulsory payment of the allotment note?—No, I have no evidence. I did not state that generally. I said no doubt a certain number would object to it for that reason.

4682. So that all that you say upon that point would be simply your opinion?—Quite so; I have no evidence.

4683. The suggestion which you have made with reference to the compulsory payment of the allotment

Mr. *Gourley*—continued.

allotment notes is founded on your belief that it would be an advantage to the seamen?—I think it would. What we want to encourage in the seamen is that they should put their money by, and I think if you can encourage them to do that, the better it will be for them; and that they will readily grasp at it is seen by what is now the case with the naval seamen who have had this opportunity of putting their money by, and a great number have their bankers' account, and they look to the future, and look to improving their condition, and it gives them a zest for doing so.

Mr. *Burt.*

4684. In answer to the honourable Member for Plymouth as to whether you had ever known a seaman refuse money when it was offered to him, I think you said that such a phenomenon had not come under your observation?—No.

4685. I suppose a seaman in that respect is not altogether singular?—No, certainly not.

4686. Did you ever know a shopkeeper, or a shipowner, refuse money when it was offered to him?—No, I cannot say that I have.

4687. You do not give any opinion on Clause 4 of the Bill, but it has been objected before this Committee that if refusing to join a ship by a seaman were made a civil offence, as for a breach of contract on the part of workmen on shore as now, the owner would practically have no remedy, inasmuch as the seaman never could pay the fine; if the plan which you have suggested for paying wages were adopted, would not it do much to remove that objection by putting the seamen in a position to pay it?—I consider that if you do away with the advance note, and you pay the men quickly on arrival, and give them the means of depositing their money in the banks, and also send them to their homes, as we do at present, you need not trouble yourself any more about arrest, or the 4th clause of the Bill. I am not prepared to give evidence on the 4th clause, for I have not studied it, but that is my opinion.

4688. But, as a matter of fact, that would put the seaman in a position to pay the fine if he were proceeded against civilly, as he would be much more likely to have money than he is now?—*Undoubtedly.*

Mr. *Rodwell.*

4689. In the answer which you gave the honourable Member for Stafford, you said that a distressed seaman would have no difficulty in obtaining relief if he was of good character; did you mean to limit the relief to seamen of good character?—I think I said he would have no difficulty in obtaining a ship.

4690. What is to become of those who have not a good character?—I suppose there are charitable institutions to take care of them, and there is the workhouse as the last resource.

4691. There is no difficulty in dealing with men of good character, is there?—No, not at all.

4692. Therefore this legislation is rather directed towards those who do not enjoy such a good character as the others?—Just so.

4693. Do not you think that some exception should be made with regard to that class whom you have designated as bad characters, in dealing with them and their relations to their masters?—I

Mr. *Rodwell*—continued.

Captain *R. Pitman*, R.N.

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I think there are a very small proportion of distressed seamen, and I do not think that that operates.

4694. It seems all plain sailing enough, to use a nautical expression, when you have got men of good character, whether they are on land or water, but the class which we here have to deal with are those reckless people who cannot show a good character, and the question is, how we are to deal with them?—I am not prepared to include distressed seamen in what you would call bad characters. When distressed seamen come home without kits, I imagine that there are charitable institutions in the country that would look after them; and, as I say, there is the workhouse as the last resource.

4695. What institutions are there?—There is the Distressed British Seamen's Society for one.

4696. Does that come within your immediate cognisance?—No.

4697. You are dealing with those who are more well-conducted and prudent?—Yes.

Mr. *Ashley.*

4698. I suppose you would agree with me that one of the principal evils connected with the present system of the advance note is, that the crimp has an interest in controlling a seaman until he has put him on board ship?—Yes.

4699. That I suppose is one reason why the shipmasters encourage it so much, as they look upon the crimp as their agent to get the crew on board?—Yes.

4700. Can you give the Committee an instance of the bad class of substitutes that crimps will put on board; did you ever hear of people putting a corpse on board as a substitute?—I have heard of that in New York.

4701. In order to get the advance note on the corpse?—Yes, I think it was to get 100 dollars.

4702 They put a pipe in his mouth and put him on board, did they not?—Yes, I have heard so.

4703. Have you heard of another instance of a man being put on board who turned out to be really a farmer?—Yes; I do not think I can tell the story, but I remember hearing of it.

4704. However, there is no doubt they do not care who they put on board?—No.

4705. When they do put those substitutes on board at Gravesend that you have alluded to, of course the whole of the advance note goes at once into the pocket of the crimp, and I suppose the substitute gets nothing for it?—Gravesend is rather different from other places; they are a better class of boarding houses, although I would not say that they are the best class of boarding-house keepers where the seamen lodge, and they necessarily must spend money with the crimps and board and lodge with them until their turn comes to get a ship, and the crimp may have a fellow on hand for a fortnight perhaps, and then he gets in return for his advance note probably a few articles of clothing; but, however, in that instance the crimp does not get a large proportion of the note. Then again, a man may come to a boarding-house keeper and say, "I will give you my advance note if you will give me a few articles of clothing and get me a ship," and probably he is shipped the next day; the boarding-house keeper then gets the whole of the advance note. On other occasions the substitute, if there is not a ship ready for him at Gravesend, may have to wait a fortnight.

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Mr. *Ashley*—continued.

4706. With reference to this compulsory allotment, does not it really come to this, that such a law would direct the shipowner to hold himself towards the seaman as his banker or trustee, and pay to his order the money as it becomes due?—Yes.

4707. And just as a banker cannot refuse a cheque upon his bank, so the shipowner would not be allowed to refuse the order of the seaman to pay the money?—Just so.

Mr. *Plimsoll.*

4708. We have had it in evidence from several witnesses that in their opinion the advance note is the root of a very great deal of mischief and drunkenness on the occasion of shipment and going to sea; we have also had it in evidence that the lodging-house keepers who cash those notes depend not so much upon the sense of honour in the seaman as upon the power they have over him; under the present law, in that case, I suppose if imprisonment for breach of contract were abolished, the advance note would go of itself, would it not?—I think so; but if you will excuse me I would rather not go into that question of the 4th clause, as I have not studied it.

Sir *George Elliot.*

4709. In signing articles, how many days are the articles signed before the ship goes to sea?—It varies from two days to a week. They usually ship the men very hurriedly, and probably it is the day before, but that is the exception; the first-class ships generally take a week to select their men; they will occasionally go down to the docks and look round and choose their own ships.

4710. If a man has signed articles a week before the ship goes to sea, has he no wages during that week?—No, he has no wages.

4711. And he cannot engage himself elsewhere?—No, he is quite unsettled from any occupation, and that is a very bad thing.

4712. Would there be any difficulty in a crew having been engaged to ship themselves within, say, a day or two of sailing?—You could not keep the men on board in dock; there is a regular system in the docks; I speak of London; I cannot answer for Liverpool; but they employ

Sir *George Elliot*—continued.

labourers here in stowing the ship, bending the sails, setting up rigging, and all that kind of thing. They are men who can be depended upon, whereas sailors are not; you may get them together to work for, perhaps, one day, but another day they will not be there, so that I imagine the owners prefer using the dock labourers.

4713. When a man is engaged, say a week or five or six days before the ship sails, does he get any advance made to him, having signed articles; does the advance note begin to operate?—No, the note does not operate then unless it is cashed by the crimp.

4714. As soon as he has signed his articles he has got a week to spend his money, and lead a life of dissipation, if he chooses?—Yes.

4715. If the period of signing was limited, say to 48 hours, would not that exercise a control over his expenditure?—No, I do not think so; I think it would be very arbitrary if it were so, because I say a week gives the captain possibly an opportunity of selecting his men, and I think it would be very arbitrary if you were to control the time for shipping men. At the same time, it is very hard upon the man that he should be placed in that unsettled state that he cannot apply himself to any other work, and he gets no pay for that time; he has received an advance on account of future earnings, and he spends all that before he joins the ship, therefore I say it is hard on the man.

4716. Does not that seem rather the fertile cause of all this expenditure, seeing that he gets his advance note, and he has got a week to waste it in?—My idea is that he should not receive an advance note.

4717. What should he receive; money or what?—No; he should receive nothing. You should teach the men to be provident, and my suggestions, I think, would assist in that direction. By means of the allotment, and allowing a man to proceed to his own home at once on his arrival, and encouraging his deposits in the savings bank, the man would have money in hand when he shipped, and he would not require his advance. Of course there are men that you cannot deal with at all.

4718. Have you any experience in any other port besides the Port of London?—No.

Captain THOMAS BLACK, called in; and Examined.

Captain *T. Black.*

Chairman.

4719. WILL you tell us what you are?—I am Marine Superintendent of the Peninsular and Oriental Steam Navigation Company.

Mr. *Rodwell.*

4720. Are you a lieutenant in the Royal Navy?—In the Royal Naval Reserve.

4721. When did you join the Peninsular and Oriental Steam Navigation Company first?—One thousand eight hundred and forty-five.

4722. You were made a commander in 1853, were you not?—Yes.

4723. You were agent and superintendent in Bombay for some time, I think?—For about five years.

4724. You inspected all the eastern agencies in 1866?—Yes.

Mr. *Rodwell*—continued.

4725. What do the eastern agencies comprise?—Various ports in India, China, Japan, and Australia.

4726. From 1867 to 1875 you were agent and superintendent at Southampton?—Yes.

4727. I believe you again inspected those agencies in 1877?—Yes, very recently.

4728. You have been marine superintendent at the company's head-quarters in London from 1875 down to the present time?—Yes.

4729. That, no doubt, has given you great familiarity with the question now under the consideration of this Committee?—I have had a great deal of personal experience.

4730. You have been in the room and heard some of the evidence which has been given here?—Yes, I have.

4731. And

Mr. *Rodwell*—continued.

4731. And read some of it?—I have read very little.

4732. Were you present when Mr. Williamson of Liverpool, and Mr. Duncan of London, were examined?—I was.

4733. I think Colonel Gill of Cardiff, who was also examined, agreed with them?—Yes.

4734. You heard their evidence generally with regard to relaxing the power which now exists of getting men on board vessels?—Yes.

4735. Will you state to the Committee what your views are with regard to that?—I agree generally with what those gentlemen said. I do not think that the Workmen and Employers Act could be extended with advantage to seamen.

4736. In what way do you mean it would be no advantage to seamen?—I refer to those men who refuse or neglect to join their ships after signing articles.

4737. In what condition are those men generally at the time they refuse to join their ships?—They are generally in a state of intoxication.

4738. Do you look upon it as an act of kindness to rescue them and get them on board ship and out of harm's way?—Yes, I think it is very much to the man's benefit.

4739. Have you known cases in which sailors afterwards, when they have come to their senses, have expressed themselves glad that they had been so dealt with?—Not unfrequently.

4740. Supposing a sailor in his drunken fit is left on land and no steps are taken to get him on board, what is his position then?—He generally finds that his kit or clothes are gone on in the ship.

4741. And eventually his distress becomes very great?—Yes, his advance note of course is forfeited, and all he can do is to look out for another ship elsewhere.

4742. It has been sought to establish an analogy between the position of a sailor who fails to join his ship when sailing, and that of a workman who fails to come to his work at the appointed time in ordinary transactions; take the case of a building or colliery, if you please; do you think that the analogy holds?—I do not.

4743. Will you state your reasons why?—In the case of a shipowner, if the ship is detained in consequence of part of the crew not being on board, those who are on board are drawing their pay all the time, and they probably have the pilot on board, and other expenses going on of which the shipowner has no chance of getting any return in any way.

4744. From your personal experience of the Peninsular and Oriental Company at Southampton, you are able to speak to the best of your judgment as to the effect which would be produced upon your company if the law were altered as is proposed?—Our company is in a peculiar position, for we are penalised if we do not have at the particular moment a ship ready to start as soon as the mails are on board. I have either to get men on board by means of this summary power of arrest, or else let the company be liable for the fine that the Post Office imposes if we do not start our ship at the fixed hour.

4745. You are placed on the horns of a dilemma, either to pay the penalty or go to sea with your ship improperly manned?—Yes, I think this power of arrest has been rather misunderstood in a good many cases. The power of

Mr. *Rodwell*—continued.

Captain *T. Black.*

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arrest does not mean what I fancy a great number of people suppose, that is, taking a man up in a summary manner, and putting him into gaol and having him punished in that way, but in the cases that have come under my notice it means simply giving the man a gentle impulse to come on board, and you always do that simply by means of other men whom you may have at your disposal. I have known instances of men who have signed articles and declined to go on board ship because they were in a state of drunkenness, and I have said to two or three of my men, "Put that man on board;" the man is put on board and, generally speaking, taken by his shipmates directly he goes over the gangway, and put down into the forecastle till he has got sober.

4746. That man was really not a free agent at the time when you dealt with him so?—Not quite; he was more or less drunk.

4747. Do you think it would be possible, in framing Clause 4, to make any distinction between the cases of men who were in this helpless state, and men who voluntarily, or by the exercise of their will, rightly or wrongly declined to go on board, after they had made their engagement with you, giving as a reason to the captain, that they did not like the vessel, and declined to go; do you think it would be sufficient to leave such men to be dealt with by a civil remedy?—I think it would be difficult in the case of ships like ours that have to go at a particular time.

4748. Your remedy would resolve itself into a question of damages?—It would.

4749. Do you think that there would be any guarantee or security for you, under the circumstances you stated, to go upon Clause 12 for damages?—None whatever.

4750. As to Clause 5, I think you wish to make some observations with regard to it?—Clause 5, which is headed "Fraud," and which is intended to deal with a seaman who receives money on account of wages, emphasizing the word "money," I think might as well be left out, as no shipowner does or would advance money on account of wages.

4751. There is also the inference to be drawn from the language of the clause, that on the repayment of the money advanced, no punishment would follow?—Yes, that I infer from it; I take it that in this clause "money" means cash.

4752. Clause 6 deals with desertion as in the old Bill, with the exception of reducing the maximum imprisonment; bringing your experience to bear, and your dealings with sailors, do you think that there is any reason for reducing it?—No, I think the reduction is rather inexpedient, for the punishment is intended more as a deterrent than anything else; it is not intended as revenge.

4753. You think that the fact of knowing that they were liable to 12 weeks instead of six weeks, would be more deterrent than six weeks?—Certainly.

4754. Clause 7 deals with the case of a seaman deserting without warrant after his ship has started; have you any observations to make upon that?—It is very little good to shipowners, because they do not want men after the ship has sailed; they want men before the ship has sailed. It is no object to the shipowner to revenge himself on a man who has not gone on board the ship. Very few shipowners avail

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Mr. *Rodwell*—continued.

themselves of the power of arresting a man after the ship has gone.

Chairman.

4755. You think it is no object to make it a terror to other evil-doers afterwards?—No; it is a very difficult thing to get hold of a man after the ship has gone without him. It would be of no use to the shipowner. I do not think shipowners care much about making example.

Mr. *Rodwell.*

4756. Supposing a seaman is arrested without sufficient grounds, what happens then?—The person causing the arrest is liable to a fine of 20 *l.*, to be given to the seaman, and if a ship has sailed, it is very difficult indeed to prove sufficient grounds for desertion. Very few people would run the risk of arresting a man if they were liable to 20 *l.* if they could not prove their case, or without the means of having proof by reason of the ship being away.

4757. Then as to Clause 9, that deals with a seaman pleading unseaworthiness of the ship?—It does.

4758. What is your opinion of that clause?—I think it is a mistaken clause, for this reason, that a seaman should plead unseaworthiness before he deserted, not after, as an excuse for it; I think that if one of our men pleads unseaworthiness of the ship, and is not supported by any of his colleagues, that would lead me to imagine that they did not approve of this charge of unseaworthiness.

4759. You would not think, as a rule, that an individual would be entitled to this plea?—Not that particular solitary individual.

4760. I believe Clauses 10, 11, 12, 13, and 14 you have looked into, and they have your approval?—I see nothing to object to in those clauses.

4761. With regard to Clause 15, I think you are of opinion that there is something which should be altered with regard to the definition of a "proper look-out"?—I think that the penalty is too heavy on the master for not providing a proper look-out, or not having it duly placed, kept, or relieved; it would be as well to define what a proper look-out was; different men may have different ideas on the subject.

4762. But you think there ought to be something defined, so that the interpretation of this clause should not be allowed to vary?—I think that if the look-out was taken away for any purpose, or not provided for by the action of the master, he ought to be punished.

4763. Still you would define what should be a look-out?—Yes; I would define what a proper look-out is.

4764. Could you give us a definition?—I have no definition of my own; the only thing I could imagine is that in a ship a certain number of men should be told off for the look-out, according to the state of the weather; if it is clear weather one man may be quite sufficient, but if it is foggy weather it might require a man on each bow, or a man on each side of the bridge.

4765. Still, it must be left to the judgment of the captain under the emergencies of the case?—Yes; but the Act says that if he does not make it a proper look-out he is liable to be punished, and he does not know what a proper one is according to what the Act may mean.

Mr. *Rodwell*—continued.

4766. Supposing it happened that it was foggy, and that under ordinary circumstances of fair weather he had had one man on the look-out, and he did not put any extra man to look-out in a fog coming up the Channel, or something of that sort, or in a crowded thoroughfare of vessels, would not that be an improper look-out?—Yes; and I would say punish him if any accident happened.

4767. Then, after all, the propriety of the look-out would be a matter of opinion almost?—A good deal, unless it was defined.

4768. And a matter of evidence as to time and circumstances?—Yes.

4769. Clause 16, I think, you approve of?—Yes, I do.

4770. As to Clause 17, what is your objection to it?—I do not see why the punishment meted out in Clause 17 should not be as heavy as that provided by Clause 16; supposing a man unshackles the cable and lets the anchor and chain all go overboard, that is damage to the ship, or supposing an engineer through some malice deranges the engine which might possibly cause the loss of the ship, three months would scarcely meet those cases.

4771. You think that ought to be as heavy a punishment as the other?—Yes, I think so; but it is not so under the present Bill.

4772. In point of fact, you do not see why a distinction is drawn?—I do not; I think endangering a ship is just as punishable as embezzling cargo.

4773. Clause 18 you think would be improved if there were some power given to the master and the seaman to rescind their contract by mutual consent?—Yes, as is the case now under the present Act, but there is no provision for it in the present Bill; it seems to be cut out.

4774. You have got Clause 18 before you; what words are they which you suggest should be added there?—I presume that it is intended to be included in the phrase that "the court may rescind any contract upon such terms as the court may think just."

4775. The difficulty you suggest is that you think Clause 18 does not meet the case where without any dispute of any kind the captain and the seaman wish to cancel their contract?—Yes.

4776. Surely it would be open to them to do that without going to the court?—It does not specify it so in this clause in the Bill.

4777. If A. and B. agreed to do a certain thing, and after A. and B. agreed, both minded to tear up their contract, surely it does not want any legislation to carry it out?—It would in ports abroad; in Calcutta I could not do so without the aid of the authorities, or in Bombay either.

4778. You mean that if you, the captain of a vessel, and a seaman sign articles of agreement, you cannot of your own motion on either side cancel that agreement?—No, we cannot.

4779. What is your form of cancelling?—We have to go before the authorities at Calcutta and mutually state this fact, that we wish to get rid of each other, and then it is allowed probably if the court sees no objection.

4780. What you want is that the parties should be able to do with it as they would with any ordinary transaction?—Quite so.

4781. How does that operate, in your opinion, prejudicially either to the captain or to the seaman, their

Mr. *Rodwell*—continued.

their not being easily able to cancel a contract?—Nothing more than the extra trouble that it would give, having to meet the man on shore and taking him before the court.

Mr. *Bates.*

4782. And the expense?—The expense would be very little.

Mr. *Rodwell.*

4783. As to Clause 19, a seaman's wages by that are made lawfully payable when he lawfully leaves the ship?—Yes.

4784. That is the day he arrives generally at the port, I presume?—Yes; that is the day he arrives.

4785. Is it in your experience possible for captains, even if they intended to act fairly to their employers and to the men, to be able to settle at once offhand the accounts with the seamen?—It is scarcely possible to make up a man's account for the voyage so as to pay him off on the day he arrives, not even with a large staff.

4786. Therefore you think that it cannot be carried out?—No; a man may be liable to a fine the very day he arrives, which has to go down in his account; and besides, the ships' captains have not the money on board to settle the wages when the ship arrives, and they are obliged to wait for many hours, and they have to check the accounts, and in a large ship with a large number of men this is not done instantly. In the case that was mentioned to the Committee the other day, where a ship arrived on Saturday, it was impossible to pay the men until the following Tuesday. According to the present Bill, the men's pay should run on all that time till the Tuesday, although they are doing nothing.

4787. The fact is that it is tantamount to this, to fine the owner so much per day after the period of the arrival of the ship, owing to the captain being unable, as you say, to adjust the accounts, and to know what he has to pay the men?—Quite so.

4788. That does not seem to commend itself to you as any great principle of justice?—I do not think so, but it is in the Bill.

4789. If it is wilfully withheld you can understand it, but, as you say, it is limited, and it is a matter which would be impossible in large vessels and in the ordinary conduct of business, and, therefore, you think it is harsh and unjust?—I think so. In the case which was mentioned by Mr. Duncan here, the ship arrived on Saturday, Sunday was not a day to transact financial business, but the men's pay ran on all the time. On Monday the master of the Mercantile Marine Office found it inconvenient to pay that number of men, and was obliged to stop till the Tuesday before he could pay the sailors off. If this Bill had been strictly carried out, the men would have been entitled to their wages till the Tuesday.

4790. In Clause 22, Sub-section 1, it is provided that a seaman shall, when the settlement of his wages is completed, sign a form prescribed by the Board of Trade; I think you have some objection to make to that?—My objection is, that I think that the release that the seaman signs should be final.

4791. You would suggest that those words relating to wages should be omitted?—I think so; I would make the release that the man gives final, upon all claims that he has on the ship or on the captain.

Mr. *Rodwell*—continued.

4792. What would be the practical difference with those words in, and with those words excluded from the sub-section, in your dealing with the seamen?—Simply the mere words relating to wages; I would not confine it to the absolute money transactions that take place between them.

4793. Then, in Sub-section 2, you think that to make it symmetrical, all those words after "engagement" ought to be left out, the part relating to forfeiture and deductions from wages?—Yes.

4794. Then, in Sub-section 11, which is about the question as to wages raised before the superintendent, after the word "final" you would destroy the finality by adding the words "if the parties agree to accept it"; that is your suggestion, is it not?—Yes.

4795. It seems to me that if the parties agreed to accept it, the words "the matter shall be final" are almost superfluous?—They are almost superfluous.

4796. I can understand what was passing in your mind when you wished to insert those words "if the parties agreed to accept it"; but it had escaped you that those words were equivalent?—Perhaps so. I cannot call to mind, at the present moment, what I was thinking of when I made those remarks.

4797. It occurred to me that those words were superfluous, and possibly on looking at them, you will be of the same opinion?—It appears to me now that they are so.

4798. Then, with regard to Clause 24, which has reference to the cancellation of entries in an official log of serious offences, I think it was stated by one of the witnesses that he thought that compelling the master to read over the entry of an offence in the official log-book might cause ill-blood, and perpetuate ill-feeling; what is your view with regard to that?—I think it is likely to cause irritation on the part of the seaman who has this entry read over to him, and to make him rather neglectful of his work afterwards.

4799. You would go on the principle of "least said soonest mended"?—I think so.

4800. And that it is desirable, as they are to be shut up so much together in a voyage, that any irritation should cease as soon as possible?—Yes.

4801. Do you see any advantage at all to be derived from such a practice which would compensate for the objections which present themselves to you?—I think that if the entry was not read over to the man, probably it would not harass the seaman's mind so much, and if you were simply to say that such a man was to be punished, the captain might be tempted to forgive the offence, which he is entitled to do by cancelling the entry.

Chairman.

4802. Do you think that the suspicion of a secret entry would irritate him less than the entry being read to him?—I think the reading of the entry causes a great deal of irritation, which the simple telling him that he was logged would not cause.

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4803. You

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4803. You would think it better to have no revival of the cause of irritation?—I think, as you have observed, the less said about it the sooner it is mended.

4804. Then Clause 26, I believe, has your very strong approval?—With respect to crimps boarding ships, yes, it has my very strong approval.

4805. From your knowledge of those various parts of the world, and your connection with shipping, I presume you would say that the evils are very great from crimps coming on board?—In the service that I belong to we do not have such a thing, but I have seen a good deal of it.

4806. How do you prevent it?—We have very few European in our ships.

4807. You are not desirous of suggesting any improvement on Clause 26?—No. There is one point which I would suggest to the Committee, which is about the rating of an able seaman. I have made a memorandum in which I state that "I consider it a great desideratum that the length of service at sea, entitling a man to the rating of A.B., should in some way be defined by authority. Seamen have a great respect for the Board of Trade, and if that body were to fix the period for which a man should serve at sea before he can be rated as an able seaman, no objection would be raised either by shipowner or sailor. Both would derive benefit by such a regulation; the men by not having all the principal and most skilled labour constantly thrown on a few of the crew, and the shipowners, by feeling sure that the men they ship have had some experience in their calling, of which they are by no means certain under the existing state of things."

4808. You want to secure, as it were, the seaworthiness of the sailor, as well as the seaworthiness of the vessel?—Yes, I do. There is no Act that secures it in any way.

4809. Do you not think that a false certificate, or any misrepresentation, should be made the subject of criminal proceedings?—I think so. This Bill is for the benefit of merchant seamen, and a "seaman" means anybody on board the ship, except the captain.

4810. It might be "persons," instead of "seamen?"—Yes.

4811. What you want is, to secure to the shipowner a class of men who have been practised at sea, or that he should know who are practised and who are not?—Yes; if a man comes and offers himself to me to ship an A. B., I should like to know that he is an A. B.; but he is a stranger; I have no means of ascertaining.

4812. Did you hear Captain Pitman's evidence in that direction?—A portion of it; I am aware that one or two other witnesses before this Committee have mentioned the same thing, but I thought that perhaps my testimony would make it stronger.

4813. You think it a hardship upon the shipowner that he should be at the mercy of men who misrepresent their competency?—Yes; they may bring their discharges from previous ships, but we must get their real character.

4814. You mean that a man may come as an A. B., but you cannot be sure that he is the same who got the discharge?—Precisely so.

4815. Are there any other suggestions which you wish to offer in addition to the remarks which you have made?—There is one point which I may mention; I should like to add my testimony to that of the Shipmasters' Society, about the examination of witnesses under Clauses 16 and 17, where men are subjected to punishment for embezzling the cargo, or damaging the ship. We had a case the other day, where stores were embezzled. The case, so far as we could make out, was brought home to the man. We had him taken up, and he was examined before the magistrates, and committed to trial at the Winchester assizes. Our case failed, then, because we were obliged to send our officers, who were our witnesses, to sea; and therefore, we had no evidence to bring against the man at the assizes. My wish is, that depositions should be taken not before a magistrate, but before two magistrates or justices of the peace, so that the examination could be continuous.

Mr. *Rodwell*—continued.

4816. You would put then the statement of the witness who is obliged to travel and be abroad in the course of his business, on the same footing as a witness who is unable to travel in consequence of ill-health?—Yes.

4817. You think that in the case you mentioned there was a miscarriage of justice?—Yes, I think so.

4818. May I put it in this way: where a seaman has been charged with felony under Section 16, and one of the material witnesses is obliged in the discharge of his ordinary duties to be absent at sea at the time of the trial, you would recommend that his deposition, made by him in the preliminary inquiry before a police magistrate or at petty sessions, should be used in the same way as a deposition is now used of a witness who is unable to travel in consequence of illness?—That is what I should suggest.

4819. In consequence of the absence of a witness whose statement could not be made at the trial, you have known justice defeated?—I have.

Mr. *Gorst.*

4820. Have you had a great deal of experience in the administration of criminal law?—No, very little.

4821. How many of your ships leave the English ports a month?—Four, one a week.

4822. Do you ever send any of the seamen of your ships to prison for not joining?—Never, now.

4823. Have you ever done so?—Yes.

4824. How long ago?—Previous to 1874.

4825. Did you do that often?—Not very often.

4826. How many a year would you say?—Perhaps two a year.

4827. Would those be sent to prison for having failed to join, and the ship sailing without them?—Yes, most of those cases would be.

4828. Do you ever use that power now?—Never.

4829. You never find it necessary?—No.

4830. What was it that happened in 1874 that caused the change in your practice?—We did away with European sailors.

4831. What sailors have you now?—We have Lascars in all our fleet, with perhaps the exception that on the Italian line we have Italians.

4832. Your idea of the power of arrest without warrant is gentle persuasion towards a tipsy man to get him on board ship?—Yes, that is what I call it.

4833. You

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Mr. *Gorst*—continued.

4833. You call that arrest without warrant, do you?—That is the way I define how it is applied.

4834. I daresay, when you were a young man, you sometimes had a friend who got a little tipsy in the evening?—No doubt, occasionally.

4835. And I daresay you have helped him to bed?—I might have done.

4836. In your youthful days have you never helped a tipsy friend to bed?—I think once I did.

4837. Do you call that arresting him without warrant?—No.

4838. Did he bring an action against you for false imprisonment?—No.

4839. You think that putting a sailor who is tipsy on board ship, is arrest without warrant; is not that analogous to your procedure with your friend?—It is what people generally suppose to be arrest without warrant.

4840. Is it commonly called so?—It is practically so.

4841. Is it called so?—If you mean, can one man seize another against his wish and put him on board ship, it is very much the same thing.

4842. You suppose, when people are talking about the abolition of arrest without warrant, they wish to prohibit persons from encouraging or pushing a tipsy seaman on board his ship; is that your idea?—Yes.

4843. By the passing of Clause 4, supposing it becomes law, do you suppose that the practice of pushing a tipsy seaman on board would be stopped?—I think so; it would amount to an assault in the eye of the law.

4844. Do you suppose that the man would bring his action?—He would have the power to do so if he liked.

4845. Your friend that you put to bed tipsy might have brought an action against you for an assault?—He might.

4846. But he did not?—He did not.

4847. Did you ever hear of a man who had been tipsy over night bringing an action against his friend for putting him to bed?—No; I do not see the analogy between the two cases at all.

4848. Seamen sometimes sign their articles, we are told, a week before they go to sea?—Sometimes.

4849. During that week, if they were to change their minds and break their contract and contract with someone else, they would be liable to be imprisoned, would they not, according to the present law?—They would.

4850. After the man has signed articles, if he breaks his contract he would be liable to be imprisoned?—Yes, he would have deserted.

4851. And so he would be by this Bill, if Clause 4 was struck out?—Quite so.

4852. You wish to have that liability remain?—Yes, if he deserts after joining the ship.

4853. During that week his ship will probably be lying in the dock?—Probably.

4854. And there may be riggers employed on the ship, and dock workmen stowing the cargo?—Yes.

4855. If any of those men break their agreements, are they liable to be sent to prison?—No.

4856. Would not their breach of agreement

Mr. *Gorst*—continued.

detain the ship?—I have not heard of any agreement in those cases.

4857. Supposing a seaman signed his articles, and was therefore bound to go, during the week which elapses before he goes, he is liable to imprisonment if he breaks his agreement?—Yes, having signed his agreement to go the voyage in the ship.

4858. If there are riggers and dockyard workmen employed on board his ship in the dock, during the week, and if they break their agreements, they are not liable to go to prison?—They do not sign an agreement the same as the sailor does.

4859. Therefore, the one has signed an agreement and the other has not?—The sailor has signed an agreement to go a voyage and the other has not, the other is employed as a daily labourer.

4860. In your view a man ought to be imprisoned who breaks his contract if it is a signed contract, that is the distinction you make?—Providing he does not carry out his contract.

4861. If a man makes a contract in writing and breaks it, you would have him sent to prison?—If he gives up the idea of going to sea in the ship I would.

4862. You have said there is no analogy between seamen and other workmen, would you put in prison every man who breaks a signed agreement?—Certainly not.

Chairman.

4863. Supposing a stevedore had contracted to load a ship, and he broke his contract, would you have him imprisoned?—No, I would not, nor would I have the other men put in prison.

Mr. *Gorst.*

4864. Supposing, during this week there was a stevedore who had entered into a written contract to load a ship, and supposing he broke that contract, is he liable to go to prison?—No.

4865. Would you make him liable to go to prison?—No.

Chairman.

4866. But a seaman who broke his contract you would make liable?—Yes.

4867. That is the difference between the man who has contracted to load the ship, and the man who has contracted to join the ship; one should go to prison, and the other not?—If they both signed, and both by breaking the agreement prevented the ship going to sea.

Mr. *Gorst.*

4868. Would not a stevedore breaking his contract stop a vessel going to sea?—Probably he would.

4869. Would that inflict great loss upon the owner?—I do not know, because there are many other stevedores.

4870. Nobody would care about a sailor refusing to join if they could get other sailors?—No.

4871. Are there not as many sailors as stevedores?—Yes, quite as many.

4872. Is a sailor as difficult to get as a stevedore?—In many cases more so, I think.

4873. Now, do you see that there is any analogy between the case of a stevedore and a

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Mr. *Gorst*—continued.

sailor?—I am afraid the matter is running in your mind different to what it is in mine.

4874. You gave several reasons to my honourable and learned friend just now, can you give me a reason why the case of a sailor is not analogous to the case of another workman; the reasons you gave before you have abandoned; can you give any other reason?—I have only got the same reason.

4875. Can you give me any reason why the case of a seaman is not analogous to the case of any other labourer?—In the case of a seaman detaining a ship when she is ready to go to sea, the other part of the crew may be on board earning wages, whereas the shipowner is unable to move his ship for want of a sufficient crew.

4876. Supposing an owner of a steamtug, who is engaged to tow a ship out to sea, did not fulfil his contract, might not that detain the ship in the river?—Yes, it might.

4877. Would you send him to prison?—I would not.

4878. Is he liable for damages?—No.

4879. Not for breach of contract, which prevented the ship going to sea?—He would be cast in damages if he broke his contract.

4880. Then do you think it is because a seamen cannot pay damages?—Partly so.

4881. Supposing the men working in a dock did not fulfil their engagements, suppose they all struck, would they pay damages?—They are more easily replaced.

4882. Could they pay damages?—No, they could not.

4883. What is your idea of desertion?—Leaving a ship without the intention to return after having signed an agreement.

4884. Are there a great many people punished for desertion, who have not left the ship, with no intention of returning?—I never heard of any.

4885. Do not you know that at present men are liable to be punished if they have failed from any cause whatever to be on board?—That may be the law, but it is not always pressed; it is not pressed in cases of sickness, although, no doubt, it is the law.

4886. Supposing a man after signing articles was at the very last moment detained by a sick wife, or a sick mother, is not he liable to imprisonment for not being on board?—Yes.

4887. Have you ever heard of an instance in which the law has been pressed in such a case?—Not in a case like that.

4888. You are in favour of having a proper look-out defined in the Bill?—Yes, I think it would be better, seeing that the penalty for not providing one is so heavy.

4889. How are you going to define it?—As I mentioned before, it is possible to define it by stating that one man would be sufficient to look out in clear weather.

4890. How are you going to define clear weather; that ought to be defined, ought it not?—Yes, I should say when you can see a certain distance.

4891. What distance?—Probably, as I am rather short-sighted, I might see two miles when you would see five.

4892. Then you would have to define the man who is to see as well; how would you do that; that might be still more difficult to define?—

Mr. *Gorst*—continued.

It is; but still it might be set out that it is possible for a good-sighted man to see so many miles when the weather is clear.

4893. How many miles would you put it at?—It comes to the same thing as defining the radius of a light or the range of a light.

4894. How many miles; we must have this defined?—I would say that if a person with ordinary sight can see so many miles the weather is clear.

4895. I ask you how many miles; will you give us a figure?—I will say supposing they can see two miles.

4896. When a person of ordinary sight can see two miles the weather is to be considered clear?—Yes.

4897. And then you are to have how many men on the look-out?—I should say one.

4898. What would you do supposing he could not see two miles?—Then I should put one more man on the look-out.

4899. Where would you put him?—I should put one on each bow if it was a sailing vessel, or if a steamer one on each bridge, probably; it depends upon the state of the weather.

4900. Would you put that in the Bill?—If it is necessary to do it I would put it in the Bill.

4901. Would that be a sufficient definition?—It would be a definition; it would be something to go on.

4902. Would you not want more men in some climates than in others, say coming up channel?—Supposing there were a fog I would put two.

4903. Would you have more men coming up Channel than you would in mid-Atlantic?—I do not think that more than two men are needed for a look-out anywhere, in the Channel even; one man in clear weather and two in a fog.

4904. Would not you want more men on the look-out in the Channel than you would in mid-Atlantic?—I do not know that it is necessary.

4905. Then you would have the same number?—Yes, but it is to be remembered that the officer of the watch is always on the look-out.

4906. With regard to this difficulty which you have suggested in getting rid of a man who wants to be discharged, I understood you to say if you want to discharge a man and he wants to be discharged, you cannot do it without going before a magistrate?—That is so.

4907. What would happen to you if you did not go before a magistrate; suppose this case, that you had a man that you wanted to discharge, and he came to you and said, I want to go, and you let him go, what would happen to you?—You would be liable to be fined.

4908. For what?—For discharging a European in Indian territory without the sanction of the law, because this man might become a distressed British subject, and have to be sent home by the State.

4909. Supposing he was not a distressed British subject, but a man with money in his pocket?—Then he would provide for himself.

4910. I believe you are forbidden to put a distressed British subject on Indian territory?—It is very seldom that men are discharged in that way with money in their pockets; if they are, they are certain very soon to become distressed British subjects.

Mr. *Gorst*—continued.

4911. But you are forbidden, are you not, to put a distressed British subject on to their territory?—Practically so.

4912. Do you say that it is impossible to make up a man's accounts when he comes into port?—No; I said to have a man's account made up when he arrived in port.

4913. Did you hear the evidence of Captain Toynbee, who said he was always in the habit of doing that?—I was not here when he was examined, and I have not read his evidence.

4914. When you read Captain Toynbee's evidence, perhaps you might moderate your opinion?—Possibly. But how could a captain know what allotments had been paid at home to the wives; he must communicate with his owners first.

4915. I suppose the owners know when the ship is coming in, do they not?—Often they do; but the vessel may be put into a port in England in distress.

4916. Does not the owner know where his ship is coming to, and her port of destination?—As a rule, he does.

4917. Could he not send to that port, which was the port of destination, information as to the allotments and money to pay to the crew?—Often the master takes a great amount of time in making them up into seamen's accounts, because he has got to give every man a statement.

4918. How many men would there be on board your ship?—In the ships that I have had to deal with, from 90 to 100 men.

4919. How many entries would have to be made in each account; one entry, I suppose, of the number of allotments?—Yes, or two.

4920. How long would it take to make one entry 90?—If the captain had nothing else to do, he would very soon do it.

4921. You propose in Clause 22 to leave out the words "All claims relating to wages"?—No; my idea was to leave out in the first section of that clause, only the words "relating to wages."

4922. Would not the consequences of that be, that if a man had a case against the owner for an accident, or for ill-treatment that he received, he would be barred; he would not be allowed to get his wages until he had settled, and so the man would have a month's wages detained, until the action that he had against the owner had been settled?—I do not think this would cause anything of that sort.

4923. You propose to alter that clause so that it would bar all claims against the owners, whether they related to wages or accident, or to any ill-treatment, or to any money that they might owe him, or some entirely different matter?—It might be possible. It did not occur to me whether a man might have a claim against the shipowner in case of accident.

Chairman.

4924. Still there might be accounts between the owner and the man entirely distinct from the service, and upon other subjects altogether?—Yes.

Sir *George Elliot.*

4925. Would there be any hardship or inconvenience arising from limiting the time from seven days before a ship sailed during which the man is a servant, as it were, of the shipowner, although receiving no wages, to a shorter time, say, two or three days, that the articles should, be signed near the time of the ship's sailing?—I do not see any necessity for limiting the time at all.

Sir *George Elliot*—continued.

4926. Except that a man is bought up seven or eight days before the ship sails, and is deprived of the power of taking any other ship, and is receiving no wages during that period?—But he can receive wages by joining the ship and earning his money. His month's wages commence on the day that he joins the ship, and commences to work, so that he can be drawing pay all that eight days before the ship starts if he likes.

4927. Has he the option of going on board when he signs articles?—I do not know what the case may be with other ships, but with us he has.

4928. Supposing my friend, the honourable Member for Plymouth, tells me at Liverpool they have no means of cooking during that time, how would you furnish those men with food?—There would be a difficulty of course.

4929. Dealing with that difficulty, do not you perceive that there is some hardship in having a man bound without either giving him employment, or wages, or food, for seven or eight days?—In that case certainly there is.

4930. Assuming that to be inconvenient, would there be any hardship or practical difficulty in lessening that time?—No, the shipowner can sign articles at any time before the ship goes to sea that he pleases.

4931. Would there be any difficulty in getting crews, supposing the articles were not to be signed until within 48 hours, because in that case there would be less time for a man to be spending his advance note?—Yes, there would be less time certainly.

4932. I understand, so far as your judgment goes, you think that there would be no particular practical incovenience in limiting the time?—I think not; not in such a case as you mention.

Mr. *Bates.*

4933. You heard the last witness' evidence with regard to sailors and their wages and allotment notes; do you agree with him?—So far as I remember, the arrangement that he mentioned about allotment notes was very good.

4934. You think there would be no objection to it?—I do not think so.

4935. If the sailor wishes to have his half-pay put into the Mercantile Marine Bank, letting the other run on, you see no objection?—Providing he is a man with no family ties on him, I do not see any reason why it should not be so, and if he is a married man he must provide for his family by means of this very allotment note.

4936. Have you known such a thing as a sailor saying that he was not married when he really was?—No, never.

4937. Have you never had cases from the workhouse where the wife and family have been in the workhouse, where the owners have received notice from the overseers of the poor not to pay that man his wages when he arrives?—I may have in one or two cases, but it was many years ago.

4938. Will you turn to page 5 of the present Bill to Sub-section 10 of Clause 9, which says: "If

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"If any person falsely and maliciously, and without reasonable and probable cause, makes any such allegation as in this section mentioned" (that is, that the ship is unseaworthy), "he shall be liable, on summary conviction, to imprisonment for any period not exceeding one month, with or without hard labour;" do you think that that is sufficient?—No, I do not think it sufficient.

4939. I may state that the stipendiary magistrate at Liverpool is of the same opinion as you, his words being that it is totally inadequate, and that it should be not exceeding six months?—I did not mention this in my own memorandum on the Bill because it is a question that never occurs with us, but as you have asked me the question I do not think that one month is sufficient.

4940. Referring to Clause 16, on page 7, "Embezzlement of Property," will you just look at line 37 and read that clause: "A seaman or apprentice who commits any of the offences mentioned in this section may also be prosecuted for the same before, and convicted thereof by, a court of summary jurisdiction, and on such conviction shall be liable to be imprisoned for a period not exceeding three months;" do you think that is sufficient for such an offence?—It depends a good deal upon the heinousness of the offence.

4941. If a person embezzles or steals or breaks open the ship's cargo and thereby endangers the ship and the passengers, getting grog from a cask in the hold and setting fire to the ship, what would you say?—If it is a bad case it would come under the previous paragraph.

4942. "A seaman or apprentice who commits any of the offences mentioned in this section may also be prosecuted for the same before and convicted thereof by a court of summary jurisdiction;" when he is convicted by a summary court do you think three months is a sufficient punishment for that offence?—It depends upon circumstances. If it is a case of broaching grog in the hold I should say that it ought to be brought under the previous paragraph.

4943. You mean that the offence should be regarded in the same light as stealing stores and breaking open cargo?—I should imagine that the two clauses were meant to apply according to the heinousness of the offence. Three months is very little, no doubt, even with a court of summary jurisdiction.

Chairman.

4944. Does not that clause suppose that the lighter cases only are tried under it?—I presume so.

Mr. *Bates.*

4945. I think you said that you do not employ European seamen?—Only to a small extent as quartermasters and petty officers.

4946. Will you tell the Committee why you gave up employing European seamen?—We found that we could not get them to carry on the same sort of work as they did before without making a great many conditions and hampering us a great deal. We were tied to time at every port that we went to; and if it suited a man to work after what he considered a proper working day he would work, but if it did not suit him he would leave it alone.

4947. You were asked why sailors at sea should be different to other workmen on shore; can you give any reason why there should be a difference?—For one thing, there is a recklessness about sailors which does not generally apply to workmen on shore; if a man is living an unsettled life I think he acquires certainly more recklessness than a workman on shore; a workman on shore has his home and his wife and family, and, generally speaking, he has something to look forward to which sailors have not usually.

Mr. *Bates*—continued.

Chairman.

4948. Do you think that navvies who are employed in gangs in different parts of the country have homes and fixed abodes?—I think so; generally they settle where they work for the time being; at any rate, they can have their wives and families with them there.

Mr. *Bates.*

4949. English workmen generally have homes, have they not?—As a rule I think they have.

4950. In answer to a question from the honourable and learned Member for Chatham, I think you stated, perhaps, what you were not exactly clear about, that men in a dockyard could not pay damages for breaking their contract; are you not aware that dockyard men have generally houses, and are pretty well off, especially in Her Majesty's dockyards, where they are entitled to pensions?—My experience of Her Majesty's dockyards is simply nothing; I know nothing at all about them; I suppose they have homes.

4951. Do you know that they have pensions?—That I could not tell of my own knowledge.

4952. Have the men who work in the docks, the stevedores and the riggers, homes?—Yes.

4953. Then, in case they break a contract, you can lay hold of them?—Yes.

4954. But if a sailor breaks a contract the chances are that he will be away the next day, and you cannot lay hold of him?—That is so.

4955. In case a sailor signs articles to join a ship, and he comes and states, for instance, that his wife and family are ill, or dead, or anything else of that sort, do not you think that any shipowner in the kingdom would at once release that man from any engagement?—I think so. In my case I used generally to send one of my surgeons up to see whether such was the fact or not, and if it was so I let the man off.

4956. With regard to the look-out, would not your log-book prove whether it was clear weather or not?—Yes, but the log-book is supervised by the captain, and an accident might happen, and then the log-book might be written up afterwards, and the captain might probably have the words "clear weather" or whatever might suit him best put in. Supposing he thought himself to blame, he would try and exonerate himself, and put down "clear weather."

4957. Do not you think there would be very great difficulty in defining a proper look-out in the Bill?—There would be a great deal of difficulty, and it would give rise to a good deal of argument, but you can define the range at which a light is visible, and it is done.

4958. The honourable and learned Member for Chatham asked you why the wages could not be made up on the ship's arrival with regard to allotment notes and all the rest; do you know that there are such things as ships calling at ports for orders?—Yes.

4959. Consequently,

Mr. *Bates*—continued.

4959. Consequently, an owner could not have money at any given port to pay those wages, could he?—But the suggestion was that the owner would be able to tell where the ship finally terminated her voyage.

4960. How could he do that until she called at a port for orders?—I presume that the crew are shipped on conditions that she discharges at a certain port.

4961. How is he to have money in the hands of the agent to pay his crew the moment the ship arrives?—If the crew was shipped to go to a particular port and returned to England, their wages would go on until they returned.

4962. Supposing she called at Falmouth and was ordered to come up to London or to Liverpool, could the owner tell the day that she would arrive?—He could not tell the day until she did arrive.

4963. With a sailing ship could he tell within a week?—No.

4964. Have you ever known a ship going from Falmouth to Liverpool being a month on the passage?—Yes.

4965. Therefore, you think it would be quite impossible for the owner of a sailing ship to know when she would arrive?—It is impossible to tell in a sailing ship when she will arrive.

4966. It is not usual when a ship calls at Falmouth for orders, that she is to have a steam tug to take her to Liverpool?—Not at all.

Mr. *Macdonald.*

4967. I think you stated that the men could not be paid off at once when they got into port?—Not immediately, and possibly not the same day.

4968. In cases where men remain from Saturday till Monday, did I understand you to say that you thought it was quite fair and just to the men, that if they were detained three days they should be so at their own expense and not at the expense of the employer or the owner of the ship?—I think if they were willing to remain on board ship at work, they would fairly earn their wages while they were waiting for their pay.

4969. But if they were in port waiting for their wages, and no work for them to do for three days, at the will of the employer or the shipowner, do you think that they should remain there for nothing?—No; it is hard on the men, of course, if they remain there for the convenience of the shipowner.

4970. If a man is detained two days and receives nothing for it, do you not think it is hard upon him?—Yes, it is hard on him; and on the other hand, it is very hard on the shipowner having to pay men while he is making up those accounts which, perhaps, may be a little complicated.

4971. If he can make his arrangements so that he can pay the man at once when he comes into port, is it any hardship at all?—I do not think you see the difficulty of making up every man's account. Supposing a ship gets in late in the afternoon of a Saturday, we will say the Mercantile Marine Office is shut, I do not know at what hour exactly, but we will say four o'clock, I do not see how the shipowner is to pay the ship off.

4972. If it gets in on Saturday afternoon the sailor is not to blame for getting in on Saturday afternoon?—No, nor is the shipowner.

Mr. *Macdonald*—continued.

4973. But is there any reason why the sailor should have nothing for being detained there?—I think in a case of that sort, he ought to take his chance of getting in there on a Saturday afternoon.

4974. Will you tell me this, if a sailor has to wait for his wages, which is his all to him, what difference is there between an owner waiting for a sailor to join his ship; if you want all this looseness on the part of the owner paying the sailor, what difference is there between that and the owner having to wait the convenience of the sailor joining the ship?—It would appear that there would be very little difference; but in the case of an owner waiting for a sailor to join the ship, keeping his vessel from getting to sea, he has to pay the wages of the other men for the time while the ship is still waiting.

4975. But if the owner is keeping the seaman there waiting, is he not doing the very same thing?—Not to a very heavy extent.

4976. Not to each individual seaman, but to the seaman collectively?—No, nothing like it. We get over the difficulty in our service by fixing the day when the ship comes in, and when the crew shall be paid, and we keep them on pay and keep them working until that day comes, and then when they receive their pay they can go if they wish it.

4977. May I ask ask you, if you see so much necessity for having a portion of the contract of a seaman criminal, is there no portion of it on the part of the owner that should be criminal as well; for instance; for refusing to fulfil any part of his contract through giving bad food or anything of that kind?—If a shipowner gives a sailor bad food on the voyage, if it is proved, do you mean that he should be liable to criminal proceedings?

4978. Yes; what have you to say to that?—I should think it would be rather difficult. There would be a difficulty in proving the badness of the food in the first place, and it would have to be defined who are the arbiters, and whether this food was bad or not.

4979. I presume you are perfectly satisfied with the law as it stands now, as relates to the severity of the law to the seaman who is to be tried for anything like criminality in reference to the contract between him and the owner?—I do not see any reason why criminality should not attach to the owner if it is considered by law a criminal offence.

4980. You were asked by the honourable and learned Member for Chatham, what reason you could give for the stevedore not being liable to a criminal action because he refused or delayed; he might abandon his contract altogether, and yet you would have a seaman treated criminally?—The honourable Member for Plymouth just asked me a similar question, which drew out the answer which I should give you now, and that is, that a man on shore can be proceeded against if he deserts his employment, for breach of a civil contract; but if a sailor deserts his ship he generally disappears.

4981. Cannot a stevedore disappear as well?—He, generally speaking, has a home.

4982. Can he not disappear from that home?—I do not think he would as a rule; he can if he likes, of course; but then it is ruin to him if he goes and leaves his home in that way, and all his household chattels.

4983. Is it your experience of seamen generally,

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Mr. *Macdonald*—continued.

that they are so innately bad, or by habit so bad, that they are ready to fly off from any contract that they make?—If they are bad enough to desert, I think they are.

4984. You make it desertion at one point, but a stevedore will not desert at all?—But you asked me a question as to the character of seamen generally.

4985. Then I understand that you do see the necessity that a seaman should be treated criminally for a breach of his contract, while all others should be treated civilly; that is your opinion?—No; my opinion is, that that clause should be retained in the Bill, and should be kept in force, which enables the shipowner to put a man on board if he can find him.

4986. Is there anything in the Bill to prohibit him putting him on board?—Yes, he is not allowed to put hands on the man; by this Bill, the power of putting a man on board, which is called arrest, is done away with.

4987. Where is it done away with; by what clause?—There is no clause in the Bill providing for it.

4988. Is there any clause, or any portion of the Act which exists now, which provides for putting him on board?—No, none.

4989. Then the Bill leaves the matter exactly where it stood in that respect?—No, it repeals the old Act, which enabled you to put a man on board.

4990. Is there anything in this Bill which prevents your doing it, should you wish to do it, to take a man and put him on board?—Yes, the clause of the old Act is repealed by one of the clauses here, and this Clause 4 is substituted for it.

4991. Then you really want what is in the old Act; you want the power of the owner, the agent, the ship's husband, and five different persons to arrest him without a warrant, and put him to gaol, and have him tried thereafter; you want that power to remain?—I want power for the ship's husband, or the owner, or the gentlemen you have mentioned, to be able to put the man on board, I do not care about his going to gaol; his going to gaol would be no benefit to the shipowner, or to the master, or to the ship's husband.

4992. Is there anything in this Bill that will prevent them putting him on board?—Yes, the repeal of the clause which enabled you to put him on board under the old Act.

4993. The honourable Member for Chatham put a question to you about your putting a friend to bed in a state of intoxication; is there anything in this Bill which would prevent you, as a shipowner or as a ship's captain, doing the same thing with a seaman, if you found him in a state of intoxication, and not joining the ship?—As I said before, I do not think the cases are analogous.

Sir *George Elliot.*

4994. From your answers just given, do I understand you to say that so far as your judgment goes, you would have no objection to repeal that part of the old law which relates to imprisonment, provided there should be permission given for the one contracting party, the shipowner, to put on board a man who had engaged to go on board?—That would quite satisfy me.

Mr. *Macdonald.*

4995. You would be satisfied with the removal of the criminal part of the law altogether, so far as getting the man to join the ship is concerned?—Yes; that is the only object that we have; we have no desire whatever, so far as I can speak, to see a man put to gaol at all, but if I saw a man standing in a state of intoxication who would not go on board the ship, I should like to be able to put my hands on him and lead him on board.

4996. If you saw a man standing on the pier-head in a state of intoxication you would desire to put him on board, but you have no desire to send him to prison with hard labour?—None whatever. If I knew that a man was in a public-house round the corner, I want to be able to take him and put him on board.

Mr. *Corrie.*

4997. That is all that we want in that respect, is it not?—But it is not in this Bill.

Mr. *Plimsoll.*

4998. In speaking of this matter of arrest without warrant, you have endeavoured to show that it is simply taking a man on board against his will; does it come within your knowledge that the men that are brought before the magistrates are taken there by violence; we have had it in evidence from good authority that no violence is ever used in those cases, that he is simply taken in charge by a policeman and taken before the magistrates, that is the arrest without warrant that we have been hearing about; do you justify that?—If the ship has gone, and gone without the man, I do not think that any shipowner would exercise that power.

4999. The manager of the Sailors' Home at Liverpool stated that the practice was that a messenger pointed the man out to the policeman, and he was taken in custody and brought before the magistrate at once?—That must be a very rare case I should say.

Mr. *Bates.*

5000. I think the manager of the Sailors' Home said that the man must be summoned after the ship sailed?—Yes. All the evidence that I have heard in the Committee goes to show that shipowners did not arrest men after the ship had gone, and that it was a very rare thing indeed to do.

Mr. *Plimsoll.*

5001. You say that those people who would arrest a seaman without sufficient cause, do it at a risk, and that there is little probability of their doing so, because they do it at the risk of being fined 20 *l.*; did you ever know a sailor receive the fine of 20 *l.*?—No; this clause is a new one; it was not contained in the old Act.

5002. You recommend that the punishment should be made more severely in certain cases, and you spoke of a sailor maliciously unshackling an anchor cable, and letting it go; did you ever know of a sailor doing such a thing as that?—No; I was merely giving an instance of what a man may be sent to prison for.

5003. If you never knew a case in your own experience of a sailor doing a thing like that, is it worth while to enact a penalty which should reach such an extreme case as that, when the probability is that the charges will be for very minor offences?—No doubt the punishment under

Mr. *Plimsoll*—continued.

under the present criminal Act is so strong as to deter a sailor from doing such a thing, but probably if he knew that the punishment was so very light, he might exercise his anger.

5004. You spoke of a case of an engineer wilfully destroying the machinery of the engines; did you ever know of such a case?—I would not call that wilful neglect, but culpable neglect.

5005. But not malicious?—I should say it amounted to malice.

5006. You propose also, in Clause 22, subsection 1, to leave out the words "relating to wages"?—I have just told the Right honourable Chairman that, when mentioning that, it did not occur to me that a man might have a claim against the owner for an accident, or something of that kind.

Mr. *Plimsoll*—continued.

5007. There were some men in Liverpool who brought an action against the owner of a vessel because he had supplied them with putrid food for a long time; if they had received their wages on the terms which would remain after expunging the words from the clause "relating to wages," of course their claim to action would have been barred altogether. As I understand, you do not consider that reasonable?—No.

Captain *T. Black.*

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Tuesday, 9th April 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Mr. Gorst.
Mr. Bates.	Mr. Gourley.
Mr. Bentinck.	Mr. Macdonald.
Mr. Thomas Brassey.	Mr. O'Shaughnessy.
Mr. Burt.	Mr. Plimsoll.
Mr. Corry.	Mr. Torr.
Mr. Dalrymple.	Mr. Charles Wilson.
Sir George Elliot.	

THE RIGHT HONOURABLE SIR CHARLES B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Captain DIGBY MURRAY, called in; and Examined.

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Mr. *Bentinck.*

5008. I BELIEVE you served for some years in the Royal Navy?—From 1844 to 1849.

5009. And since that, you have been in the Merchant Service, in command of large foreign-going ships?—Yes; both American and English.

5010. And now you hold a position at the Board of Trade?—I am the professional member of the Marine Department of the Board of Trade.

5011. You have naturally devoted your attention considerably to the question of discipline in the Mercantile Marine?—Yes, considerably.

5012. From your own personal experience of desertion, is it very extensive, or is it only in particular cases, and in particular ports, that it occurs?—I should say that in most foreign ports there was more or less of it; not so much in the Indian ports, because seamen there get out of the ship by another method.

5013. What, in your opinion, would be the effect in ports of that character of reducing the maximum imprisonment for desertion, from 12 weeks to six?—I think it would have a very bad effect. I think 12 weeks is not more than sufficient in foreign ports. By "foreign" I mean colonial, or in ports out of the United Kingdom.

5014. From your knowledge of seamen generally, do you think imprisonment should be in the discretion of the court, either with or without hard labour?—No; I am not of that opinion. I think it should always be with hard labour. Without, it is no punishment whatever. Of course I am speaking only of ports as I knew them. I have now been five or six years at the Board of Trade. At Melbourne and the Cape of Good Hope it is the constant practice of the magistrates to inflict imprisonment with hard labour; but at Calcutta, and I am inclined to think at Bombay, but more especially Calcutta, hard labour is very rarely inflicted, and the prison rules are so lax that it really is no punishment whatever to the seamen.

5015. In point of fact, a bad character would rather be in prison, without hard labour, than be at sea?—In many cases, at Calcutta most certainly; because they get tobacco, and, I think, even grog.

Mr. *Bentinck*—continued.

5016. In fact, they are leading a life of perfect idleness, which in many cases they prefer to hard work at sea?—Yes; and they get a run on shore afterwards.

5017. Do you think a maximum penalty only should be stated in the Bill, or should there not be a minimum?—I think there should always be a minimum penalty.

5018. Not at the discretion of the magistrate to give less than a certain amount of punishment?—I think not, because the custom at different ports varies so extremely; and there is really no particular reason why the practice should vary to the extent it does. It is merely a question of practice amongst the magistrates at different ports abroad.

5019. In some cases they are disposed to be much more lenient than in others?—Very much; it depends on the practice of the port.

5020. The stating of a minimum punishment in the Bill would have the effect of regulating the scale of punishment, and of letting the ill-conducted seaman know what he had to expect, as the consequence of his conduct?—To a very great extent that would be the effect.

5021. How should you state the difference between absence without leave and desertion?—I really do not know; it is not specified in the Bill. It is in Her Majesty's service; but if I was afloat, as a shipmaster, I should be in very great doubt as to what was absence without leave and what was desertion.

5022. Would not the time of the absence regulate that?—I should think not, unless it was specified.

5023. Do you think it ought to be specified that absence beyond a certain period constitutes desertion?—That is my opinion.

5024. Will you turn your attention to the paragraph commencing line 9, page 3; would not the effect of that be that the ship would often sail without the offender?—I should think in most cases, unless there were many of them.

5025. Now,

Mr. *Bentinck*—continued.

5025. Now, what in your opinion will be the general effect of Clause 9 on the general discipline of the Mercantile Marine?—I think that Clause 7 of the Merchant Shipping Act, 1871, Clause 9 of 1873, and Clause 21 of the Bill of 1875, of which this is more or less an embodiment, tend to strike at the root of all discipline. A seaman is permitted to plead in extenuation of a very serious offence that somebody else has committed another offence, that is to say, that the ship is unsafe.

5026. Referring to Sub-clause 9, do you consider a seaman is an expert, as far as the seaworthiness of a ship's hull is concerned?—I certainly think that a seaman is not by any means an expert, and provided that an expert had never been to sea in a ship, and had never had an opportunity of examining her, I do not see how he could possibly say, that a ship was unseaworthy, unless she was so very bad that you could see it from her having entirely lost her shape. I am talking of the hull only; I cannot help thinking that it is not only unfair to the shipowner, but that the Sub-clause 10 is quite as unfair to the seaman. I think if you are to give the seaman power to complain of the unseaworthiness of the ship you should allow him to make a distinct allegation as to the unseaworthiness, and not generally to say that a ship is unsafe. A seaman would have very good cause of complaint if a ship was making so much water that she was unseaworthy. If he said distinctly that the ship was making a very large amount of water, and that therefore he thought there ought to be a survey, or if he said that she was unseaworthy as far as her equipment was concerned, or in the case of a steamer as far as her boilers and machinery was concerned, that would be something definite. But I really think it is a very unfair thing to the owner to allow the seaman to make such a very vague charge, and equally unfair to the seaman, to say he shall be liable, on summary conviction, if he makes it without reasonable cause, to imprisonment for any period, not exceeding one or, as I believe it has been proposed, six months. I do not think that is fair either to the seaman or to the owner.

5027. I understand you to be of opinion that a seaman when alleging that a ship is unseaworthy, should specify the ground on which he makes that return?—I think so.

5028. Do you think Clause 12 of this Bill is sufficiently specific for the objects for which it is drawn; and if *not*, will you state, in your opinion, what are the deficiencies in the clause?—I am not very sure what the law courts would consider to be "combining to disobey." I do not know whether it would include the refusal of the crew to pump, to jettison cargo, or to perform any other duty which the master or other officer of the ship may consider necessary to the ship's safety, provided that the refusal was not preconcerted. I mean to say there is a very great difference between a conspiracy in a ship's forecastle, in which they agree amongst themselves that they will combine to disobey any order, and the seamen at the pumps of a ship. One man says, "I won't pump any longer;" another man says, "No more will I;" and this is all done without preconcertion. A good many cases have come officially under my notice, in which ships have been lost in consequence of the crew declining to do duty when they might have saved the ship if they had stuck to their duty like men; and I am very doubtful whether this section includes refusal of that kind. In short, I do not know what "combining to disobey" means, or what the lawyers would interpret it to mean.

Mr. *Bentinck*—continued.

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Chairman.

5029. Is not it the difference between the disobedience of one man and the disobedience of two combined together?—I am not sure. I am inclined to think that unless there was a conspiracy, it would not be combining.

Mr. *Bates.*

5030. Where it is done on the spur of the moment?—Where it is done on the spur of the moment.

Mr. *Bentinck.*

5031. That is one of the cases in which you would alter the penalty, by not allowing the magistrate the option of giving imprisonment without hard labour, where a man refuses to do his duty to the extent of endangering the safety of a ship?—This is rather different from the other penalties. It says "A man shall be guilty of felony." This is not summary; they are imprisoned for any term not exceeding two years, with or without *hard* labour.

5032. In that case would you not suggest the removal of the words "or without," where a man is convicted of a felony?—Yes; and I think in all penalties there should be a minimum as well as a maximum clause; I think it would be preferable.

5033. Do you consider that Clause 15 should be applied to all vessels irrespective of tonnage?—No, I do not think it can.

5034. Would you state what, in your opinion, are the difficulties of applying it?—There are many vessels that have crews ranging from four to six hands, all told, and when in a squall or in dirty weather, you have to take off sail, I very much doubt whether it is possible, under all circumstances, to keep a man at the look-out forward. I quite agree with the principle, but I am afraid in practice there will be considerable difficulty in enforcing it. I hardly know what suggestion to make with reference to a small crew, it is so very difficult. I know the common practice on board small vessels is, when they are shortening sail, to call the man off the look-out. It is improper, but if they have such a small number of men on board, it seems to me to be unavoidable.

5035. Do you think that the paragraph on page 7, line 15, is one that requires any alteration or addition?—The principal look-out on board ship, undoubtedly, is the officer of a watch; the man forward is placed there more *pro formâ*, especially in a steamship, and to comply with the Act, than for any other purpose. The look-outs really are the officers of a ship, and this does not seem to touch the officer of the watch at all, who really is the look-out, and on whom the safety of the ship must depend.

5036. You would extend punishment to the officer?—The officer of the watch, most undoubtedly. There was a case, not very long ago, in which a vessel ran down a light-ship. The officer on watch was asleep on a hencoop; he only received a suspension of six months, of his certificate, which certainly was a very small punish-

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Mr. *Bentinck*—continued.

ment. There ought to be something to touch an officer who is guilty of such a default as that, and endangers the life of everybody on board his ship. He ought to be placed under a penalty for his misconduct.

5037. Will you state your opinion of Clause 16; might it not be read to include many comparatively trifling offences other than broaching cargo?—I think it might. I do not know that I can defend either the custom of Her Majesty's navy, or merchant service; but I fancy there are few admirals who have not been engaged as youngsters in some cutting-out expeditions, and it seems to me that this clause might be construed to mean a fowl, or a dozen of oranges, or a duck, or something of that kind. Amongst the midshipmen in the service cutting-out used to be quite as frequent as amongst apprentices in the merchant service. I think, therefore, the clause is rather widely drawn.

5038. Have you any suggestions to offer in connection with this Clause 16, as contributing to the safety of the ship and the lives of those on board?—I think the clause should be extended, or a fresh clause drawn which should apply to taking naked lights, or striking a lucifer match in a ship's hold.

5039. Do you think anything could be done towards improving the discipline of the merchant service by raising the status of the officers commanding merchant ships?—I think very materially. The Committee, I think, have had before them two very good specimens of the better class of commanders of merchant ships, Captain Toynbee and Captain Black; and I should like very much to call their attention to an official logbook, which I have not picked out of the logbooks in the custody of the Registrar General of Seamen, but which just happened to come to my notice with reference to a question a day or two ago about prosecuting the mate of a vessel, and which will better than anything else show the difference between masters and masters in the mercantile marine; and I should like, with reference to that, to put in an estimate of the number of masters at the present moment in the mercantile marine, signed by the Registrar General of Seamen. I have also this suggestion to offer. At present, there are in the mercantile marine 26,085 men holding certificates of competency (so-called), and 14,000 possessing certificates of service as masters for foreign-going ships; and of this entire number, *i.e.*, 40,085, less than two per cent. hold extra certificates. It is quite clear that there must be some good reason why so few men pass the extra examination; there are many men holding certificates as master ordinary, who are abundantly competent to pass the extra examination; and there are doubtless many more who could easily prepare themselves; that they do not take the trouble shows that, in their opinion, there is not sufficient inducement, and that the extra certificate confers little or no advantage on the possessor. At present, one man commanding a schooner carrying coal or manure, and another man commanding a steamship of say 9,000 tons displacement, carrying many hundreds of passengers, are equally shipmasters in the eye of the law; the one may be unable to read or write correctly, the other may be a man of considerable attainments, but they are both shipmasters, and this levelling down is, in my opinion, very prejudicial

Mr. *Bentinck*—continued.

to the well-being of the service. The cure for it is to let certificates carry with them a certain rank in the mercantile marine. Have, say, three grades of commanders for foreign-going ships; style the highest grade captains. The examination to be the same as at present for extra masters, with the addition of a practical examination in the tentative method of compass adjustment; the candidate must also be able to compute and solve questions in plain and spherical trigonometry. 2nd commanders. The examination to be the same as at present for extra masters, with the addition of a practical examination in tentative compass adjustment. 3rd shipmasters. Examination to be the same as the present ordinary examination. The extra examinations will then carry with them considerable advantage to the possessors of the corresponding certificates, not because they will obtain the barren title of commander or captain in the mercantile marine, but because those titles being the indication of their superior attainments, shipowners will, under the circumstances, awake to the necessity of appointing men holding a superior class of certificate, to first class, and especially to large passenger ships or steamships. There must of course be a penalty attached to a man assuming a style or title not warranted by his certificate. When the Board of Trade first of all instituted the grade of extra master they were under the opinion that the masters of all foreign-going ships in the principal trades would, subsequent to that, hold an extra certificate, but masters finding that the grade of extra certificate did not carry any real benefit to themselves, very few of them have gone up for the extra certificate, and I think that you must give them something as an equivalent for the trouble they take and the fees they pay on passing an examination, and also for their working up for the examination, so as to induce them to go in for a superior class of certificate, and then I think a good deal might be done.

5040. Will you be good enough to turn to the 4th clause of the Bill, and will you state to the Committee your opinion as to that clause, and its probable working upon the discipline of the service?—I am half inclined to think that if all the men we carried to sea were seamen it might be possible to have such a clause, but at present I do not think we have arrived at such a state as to make such a clause practicable. I think the working of it would be very hurtful even to the interest of the seaman himself.

5041. Do you think that it acts as a protection to the seaman as well as the shipowner?—My experience afloat, which has been very considerable, is that I never have any trouble with seamen; it is the men who go to sea who are not seamen, who have not been educated to the sea from their boyhood, who give all the trouble. I must say that at present I do not really think it would be possible to introduce such a clause; I do not think it would work well. On one occasion I went to sea in a ship shorthanded, not an ordinary merchant ship, but a large passenger steamer, carrying many hundreds of passengers, and the most I could do was to telegraph to Queenstown for men to be in readiness to join the ship there; but when I arrived off Queenstown it was blowing a living gale of wind, and I did not consider it prudent to put in; I was therefore compelled to go to New York shorthanded. I do think there

ought

Mr. *Bentinck*—continued.

ought to be some power to enable the shipowner to put the men on board his ship if necessary; I am afraid it would work prejudicially otherwise.

5042. It would work prejudicially towards the owner and towards the men?—I think so.

5043. Have you any further suggestion to make on the subject of the Bill before us?—I have some additional suggestions which I should like to make with reference to discipline, to men off duty, and also more especially to payment of wages. By an amendment put in by Captain Pitman the other day to Clause 20, the master is required to pay a seaman on account of his wages either one-fourth of the wages due or 2 *l.*; that, I think, had better be 1 *l.* It says, "If he fails without reasonable cause to make this payment when requested by the seamen, he shall be liable to pay to the seamen," &c. I can understand that there are many cases in which the master of a ship might fail with reasonable cause to make such a payment, and I should like to make some suggestions which would more fully carry out the views of the Board of Trade, and probably of the Committee, as far as advance money to seamen on leaving the ship is concerned, and this is what I would propose; I put it permissively, as it is only a suggestion. The Board of Trade may give instructions at any port or ports that shipowners shall pay the entire amount of the balance of wages, as shown by the portage bill after the accounts have been agreed to by the men, to the Seamen's Savings Bank at the Mercantile Marine Office; and the separate amount due to each man shall be placed by the Superintendent of Mercantile Marine to the man's credit in the Seamen's Savings Bank. The seaman may draw immediately from the bank either the whole or any portion of the money placed to his account, or he may require that any portion of it be credited to him at any other port in the country. It shall be lawful for the Superintendent of Mercantile Marine, in accordance with such instructions as may be issued from time to time by the Board of Trade, to advance to a seaman, subsequent to his arrival at a final port of discharge, any portion of the wages due to him by the owner; and as a security for the repaymemt of any sum so advanced to the seaman, the Board of Trade shall have the same lien and remedies as against the ship and the owners thereof as is at present possessed by the seaman. I think under these circumstances, where the master is not able to advance money to the men, the Mercantile Marine Offices, who have always funds, might do so. I am not talking of funds in the savings bank, but there are always Mercantile Marine funds on hand; and I see no reason why money should not be advanced by the Superintendent of Mercantile Marine to the seamen where it is difficult for the master or shipowner to do so.

Chairman.

5044. With regard to the first part of your proposition as to paying the money to the savings bank, does that mean at the end of the voyage, or from month to month during the voyage?—At the end of the voyage.

5045. In no case during the voyage?—I am of opinion it would hardly be practicable to do it in the shape of allotment during the voyage. It would be extremely difficult in many cases.

0.54.

Chairman—continued.

Say that a seaman gets an advance in the Australian trade; he is bound for Melbourne, and takes up all the slops he can and tobacco. A very large portion of the men who ship in this country for Melbourne intend to run away on arriving at Melbourne, and to stop some time working up the country, and probably the vessel would only carry away half her original crew with her when she left Melbourne. The shipowner, if he was forced to pay allotment to all his crew, would, I am afraid, be very much out of pocket by the transaction. In the first place, the cost of telegraphing would be considerable, and even suppose the telegraph was in working order, and the master could telegraph at once to his owner, I very much doubt whether he could do it sufficiently quickly to prevent the owner being considerably out of pocket.

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Mr. *Bentinck.*

5046. Would not there be the same objection to allotment to a man's wife?—There is, but at the present moment the allotment to a man's wife is permissive, and the best class of owners say to the shipmasters before a vessel goes to sea with, say, 30 seamen, "Do not take more than seven or eight men who require allotments." I can only say, in the East India and Melbourne trades seven or eight is generally far more than the number of men who ought to have allotments, for though they are supposed to be given to relatives they are very often given to a very different class of people. I remember one case especially, in the East India trade, when a man told me he had allotted his money to a woman with whom he had been living on shore, and that he regretted very much he had ever been foolish enough to do anything of the kind. Then, on the point of discipline, I think there ought to be an additional clause, or a rider to Clause 14 of the Bill. What I want to do is to protect the good seamen. I find generally that about half of the men are seamen, though it varies greatly in accordance with the trade, in some you get more seamen than in others; but they do require to be protected from the men who are tailors, tinkers, and belong to every other profession except that of a seaman, and who, after they have tried every other business and failed, go to sea, and are a nuisance, both to the rest of the men, to the shipmaster, the shipowner, and everybody else. What I want to do is to protect the men themselves, and this is what I would suggest. Men off duty when the ship is at sea, from illness other than acute disease caught from exposure to contagion or infection, during their service in the ship, shall not be entitled to pay for the time that they are off duty, and the pay that they would have earned if on duty shall be divided amongst the remainder of the crew then on board and at work. A man refusing duty while the ship is at sea shall forfeit 10 days' pay for every day or part of a day that he is off duty, and the wages so forfeited shall be divided amongst the remainder of the crew then at work on board. An entry in the official log signed by the master, an officer, and one of the crew, shall be considered conclusive proof of the mans absence from duty, and the Superintendent of the Mercantile Marine Office shall, when any crew are paid off, inspect the official log book of the ship, and make the aforesaid deductions and distributions. It is a question whether this same principle might not

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be extended to men who ship for a duty they are unable to perform, *i. e.*, that if they are reduced to a lower rating the difference of wages shall be distributed amongst the other members of the crew.

Sir *George Elliot.*

5047. In speaking of the 4th clause, do you still think it could not with safety be altered as proposed in the Bill?—I am afraid not at present.

5048. As the law stands now, if a man does not enter a ship according to his articles, he is liable to imprisonment?—That is so.

5049. Do you suppose that that is capable of any modification, for instance, in this way: supposing there should be an authority in this Act, that after having signed articles, the man may be brought to the ship, whether he likes it or not, just as he is now, but without the penalty of imprisonment as the ultimate punishment, would that answer all the purposes?—I am hardly able to answer that question; my experience, until I came to the Board of Trade, was entirely afloat, and therefore I have never been brought in contact with, nor have I known anything of, the imprisonment of men in the home ports for desertion. I am not quite sure that it would be wise to remove the penalty; I think it would be well to have it hanging over a man's head; I should think it is a power that would very rarely be abused by a shipowner, I do not pretend to speak very authoritatively on that point, but I certainly think there ought to be the power to put the seaman on board the ship after he has once engaged.

5050. Do you think if, instead of the crews being engaged seven or eight days before sailing, and having advance notes at the time they were engaged, it would be practicable to limit that, say, to 48 hours or a shorter time, so that the men would have less time to squander and waste their money before they sailed?—I have no personal knowledge of the men being shipped seven or eight days before their engagement commences; I should think it would be very difficult to get men to sign articles seven or eight days before the engagement to join.

5051. One of the witnesses said it was from three to seven days?—I should think that would be very rare; there may be something to oblige an owner in some special case to detain a ship; under those circumstances, I think the men ought to be boarded by the owner.

Mr. *Bates.*

5052. They are?—I believe so.

Mr. *Gorst.*

5053. You said you had sailed in American ships; you mean, I presume, ships bound to America?—Oh no; under the American flag for a great many years.

5054. In what capacity; master?—I have been in every capacity.

5055. In the American mercantile service, can you punish a man for desertion?—I really do not remember the law. I think in the American mercantile marine a man never gets a chance to desert prior to going on board, he is too well looked after by the runners, except in foreign ports.

5056. You are not aware whether, according

Mr. *Gorst*—continued.

to the American law, there is a penalty for desertion?—I really do not remember. I have simply received my crews from the shipping master, and I never remember to have had a man not put on board. I think the runners take uncommonly good care to put them on board. They do desert sometimes when the ship is lying in the river.

5057. What river are you speaking of?—Especially of New York, because at New Orleans you go straight from the pier to the mouth of the river; but after the ship has once hauled from the piers into the river, then the men are at the risk of the master of the ship, and he has to pay the advance.

5058. Where are they put on board at New York?—As the ship leaves the pier, or in the river.

5059. By the runners?—By the runners.

5060. Then you draw off the pier into the river?—Yes, and anchor, unless the ship goes direct to sea.

5061. Do you ever lose men after you leave the pier?—Unless you keep an uncommonly good look out after them, they would go.

5062. Have you ever lost them?—I never have.

5063. If they had escaped, you would not get them back again?—Oh, no; the runners would get hold of them and put them on board another ship at once, and get a second advance for them.

5064. Is there much greater difficulty in getting crews in New York than in Liverpool or London?—I suppose it entirely depends upon the scarcity or plentifulness of the men at the time.

5065. You did not find your ship detained for weeks for want of a crew?—The last time I cleared an American ship from New York in 1864, I lay off seven or eight days in the river waiting for seamen. I think they had about 20,000 of them at that time serving in one division of the army.

5066. That was during the war. I mean from the American law you never found any greater difficulty in getting your men than you had under the English?—Not nearly as much.

5067. You very properly observed that the offence of desertion is not defined in this country, and it is not defined in the Merchant Shipping Acts at all?—I believe not.

5068. Are you aware what the definition of desertion in the Royal Navy is?—I think that the definition when I belonged to the service was not only that a man must be absent a certain length of time, for 24 hours, but if it was under 24 hours, he must have done something to show that it was his intention to desert.

5069. A man must either have left the ship with the intention of not returning, or while absent from the ship he must have done some act evincing an intention not to return; would not that be a proper definition to adopt in the Merchant Service?—I think that there should be some time mentioned. If a man is absent for a length of time, there ought to be a presumption that he has deserted

5070. Even if he had done no act showing an intention not to return?—I should think it would be very difficult to prove that he had done any act that showed an intention not to return.

5071. Do you think the offence of being absent without leave might be made a minor offence punishable, but not so severely as desertion?

Mr. *Gorst*—continued.

tion?—I think there might be two offences, absence without leave, and desertion; but I think there ought to be a time limit.

5072. Have you been in any colonial ports where the men are not punished for leaving the ship?—They are always punished, but in Calcutta, for instance, the punishment is nearly always without hard labour, and I am told by the men themselves, that the rules of the prisons are very lax; they can get tobacco, and I fancy by bribing native officials, they can even get grog.

5073. Are not you aware that in legislating here for the Indian courts, an English Act of Parliament would interfere very much with the constitution of the country. The Indian courts are regulated by Indian law?—But I think their laws with regard to ships are modelled on the Merchant Shipping Act, or that they accept the Act.

5074. But even if in this Bill we were to put in imprisonment with hard labour, it would require an alteration of the Indian law, before the practice of the Indian courts would be altered?—I should think they would adapt themselves at once to any requirement of a Merchant Shipping Bill.

5075. You mentioned that there were other ways in which seamen left their ships in India besides desertion?—If they want to leave a ship and they cannot manage to do it with the consent of the master, they will go on shore and break a few gas lamps. On one occasion I knew a man who threw his boots at the magistrate's head; I do not suppose he meant to hit the magistrate, but he wished to commit a sufficient offence to enable him to be sent to prison, and to miss his ship.

5076. The ship sailed without him?—The ship sailed without him.

5077. Are you in favour of minimum punishments being prescribed generally for offences?—I really am, because I find sentences vary so much in different courts.

5078. May not a man technically have committed an offence, but really have been guilty of no impropriety of conduct, and if he were brought by a spiteful captain or owner before the court, the magistrate would be bound to send him to prison, even though he might be of the opinion that the man had committed no real offence?—I should think that would very rarely happen.

5079. You do not think there are such things as spiteful owners?—On the contrary, I have rather a strong opinion on the subject, and especially on that very vexatious subject of fining men on board little ships where the master or owner may have some interest in fining them. I very much doubt whether these fines ought ever to go to the owner.

5080. Do not you know in the fishing smacks on the East of England the apprentice lads are frequently most improperly brought before the magistrates for alleged offences?—That I have no knowledge of.

5081. In that case, supposing there was a minimum penalty of one month, the magistrates would be bound to send the lads to prison, however improper the conduct of the smack-owner might have been. Is not that an objection to minimum punishments?—It is certainly; but I think even in the Bill itself you will find in one or two cases minimum punishments are prescribed.

Mr. *Gorst*—continued.

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5082. Do I understand you to object to this provision, that "the person arresting the offender may, and if the offender so requires, and it is practicable, shall convey him before some court capable of taking cognisance of the offence?"—Yes, I do.

5083. Is not that the existing law?—I believe it is.

5084. Do you think you can safely allow the master of the ship to arrest a person and take him on board ship in spite of his desire to be taken before a magistrate?—All I can say is, I think that if the seaman was to insist upon his right of being taken before the magistrate, it would be very difficult to get a crew on board a ship.

5085. But if there was not such a power, they might arrest anybody on the allegation that he was a seaman. They might arrest you or me and take us on board ship?—I am afraid they might; but I do not think it is very likely that they would.

5086. If the power of claiming to be taken before magistrate was taken away, a captain of a ship might arrest any one of Her Majesty's subjects, alleging him to be a seaman and then carry him on board ship?—I suppose that is the case.

5087. That would be rather a dangerous power to entrust masters of merchant ships?—I presume the master of a merchant ship himself hardly ever does arrest men.

5088. Who is it that arrests the men?—I should think the runner.

5089. Would not that be a dangerous power to entrust to the runner. It would be a power such as no Secretary of State possesses, to arrest a man without a warrant, and drag him on board ship?—I should think in point of fact that was exactly the power that the runner does exercise at the present moment.

5090. I understand you to be dissatisfied with the expression in the Bill "combining to disobey." Do not you think a number of men agreeing beforehand to refuse duty, is a more serious offence than the same number of men actually refusing duty without any combination or agreement?—I think so, but the danger to the ship is as great in one case as in the other.

5091. They are punished for refusing duty under Clause 11?—Yes, and two or three cases have come to my notice when the ship has really been lost in consequence of the refusal say, to pump her.

5092. That would be Clause 11. I mean how would you distinguish the offence of refusing duty in common with a number of other men. Take the man who first refused to pump; that no doubt is an offence for which he would, under Clause 11, be punished; is that offence to be aggravated because half-a-dozen men after him without combination also refuse to do their duty?—I think so, if he persists in it, and if it really conduces to the danger of the ship.

5093. You would punish a man more severely, because half-a-dozen other men, without concert with him, commit the same offence that he has committed?—Yes, if he persisted in it.

5094. Then you would make it a more serious offence to refuse duty if a number of other men refused duty at the same time, whether they were in combination or not?—I certainly think I should.

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Chairman.

5095. Would you make no difference between an individual disobedience endangering life, and conspiracy endangering life?—Individually, I would. Supposing it is absolutely necessary to save a ship that there should be so much pumping in the 24 hours, and one man says, "I won't pump," and another says, "No more will I," and they all knock off pumping one after the other: it is evident the property will be *lost* if these men do not pump.

Mr. *Gorst.*

5096. I understood you to say you would make it a more serious offence than an individual refusal to pump, even if there was no combination between these parties?—That is my view.

5097. I understand you to say the power of imprisonment, which is partially taken away by Clause 4, is not necessary to good seamen?—I could not say it is never necessary; but I should say it very rarely was.

5098. I think you said if all seamen were good seamen, all power of imprisonment might be very safely given up?—Yes, I am of that opinion. If every shipowner employed and educated a sufficient number of boys, so as to keep their ships properly manned with good seamen, instead of taking in men who have failed at every other business, I think, under these circumstances, we could do away with a great many of the clauses of this Act.

5099. Do I understand you to say the persons for whom this power of imprisonment is necessary are the tailors, and tinkers, and persons who are rather a nuisance than otherwise on board ship?—For the most part.

5100. Do not you think it would be rather a good thing if these men were allowed to go their own way and were not brought on board the ship at all?—Our merchant fleet would only be half manned under those circumstances, because we do not educate a sufficient number of seamen.

5101. Do you not think, if shipowners found that they could not bring this riff-raff on board their ships, they would take some measures to educate boys, and supply themselves with good seamen?—I am afraid not. There is no combination whatever amongst shipowners.

5102. You think, if the power of imprisonment was done away with, they could not get tinkers and tailors on board ship?—I did not say that, but I think there would be a very great deal of difficulty.

5103. They would not get so many?—It would give a very great deal of trouble to shipowners, and very great expense, and ships would very often be detained, a portion of the crew only being on board; and when men are really scarce, in the case of some of our large mail steamers, they might either be stopped, or go to sea with an insufficient number of men.

5104. Did you ever hear of the power of imprisonment being used in the case of these large mail steamers?—*No*; I am not familiar with the power of imprisonment if used at all.

5105. Is not it really used by those shipowners who sail the worst class of ships?—I am really unable to give an opinion, because I have no personal knowledge of that question whatever; I have never known a case of a man being prosecuted for not going on board ship.

5106. Your objection to Clause 4 is rather theoretical than practical; you said so?—I think not; I said I was afraid, under existing circumstances, the power of arrest without warrant could not be safely done away with, but I gave it more as a general opinion; I said I thought it was absolutely necessary that seamen should be put on board their ship; I did not give so strong an opinion with reference to the imprisonment.

Mr. *Gorst*—continued.

5107. There is one point I wish to ask as to the suggestion you made about a man off duty; you say that when a man is off duty his pay should stop, and should be distributed among the rest of the crew; would not there be very great danger of a man being rather oppressively treated if that were the law: do not the master and mates and seamen sometimes take a dislike to a man unjustly; he is what they call a sea lawyer; he makes himself free with his tongue; he takes too much, and so gets disliked?—I do not think that would be the case with the men; I have generally found the men stick up for their own body, and they naturally would object, although they very rarely object in any very strong manner to a man scheming, saying he is sick, and making the work very much more heavy for the remaining members of the crew; as the money would go to the seamen and not to the owner, I think it would have a very good effect on the discipline of the ship at sea.

5108. I am not objecting to your suggestion, but I am asking whether you consider it would be safe, or whether it would leave the man rather too much at the mercy of those with whom he is afloat?—I do not think so; I propose to confine it entirely to the time when the ship is at sea.

5109. While she is at sea there are no witnesses excepting shipmates, and, of course, if the crew make good their story, there is no one to contradict them?—I very much doubt seamen taking any such part against one of their own number.

Mr. *Bates.*

5110. With regard to the question just now put to you, I do not think that there could be much doubt if a man was put off duty, as you state, for certain diseases, it would be only too plain?—I think so.

5111. Therefore if a man was incapable of doing his duty, someone would have to do it on board the ship, and you think it would be only right that the men should have the man's pay divided amongst them?—I think the men who do the work should be the men to receive the pay.

5112. Now, just for a moment, do not consider yourself an officer of the Board of Trade, but rather, as I have known you, master of a ship; do you think it would be safe, either for ships or shipowners to insert in any Bill this 4th clause?—I have already given my opinion generally about it. I am unable to say anything very definite with reference to the imprisonment, but I do, on the whole, think the 4th clause would be objectionable.

5113. Do you think it would be possible at the present moment to get men on board your ship when she is about to sail, unless you had the power of putting certain men on board who had signed articles and were unwilling to go?—I am quite of that opinion.

5114. And do you not think it would be a benefit for the seamen to do that?—In most cases it would.

5115. I believe

Mr. *Bates*—continued.

5115. I believe the kit belonging to the men is on board?—Not always; and it is not always all the men that have got kits.

5116. When you were a master of a ship, did not your officers give you a memorandum saying such-and-such a man who wanted an advance note had sent his kit on board?—I never remember an instance of it.

5117. Do you not think that at the present moment it would be utterly impossible to man our ships unless we had the power of putting men half-stupified by drink, to which you know sailors are liable, on board by just a little gentle persuasion?—I think there would be a great deal of difficulty if you took away the power which the runners at present have, for the work is really delegated to them of seeing the men on board the ships when they are in liquor, and unless that was done there would be very great difficulty in making up the crew.

5118. And you are quite of opinion, beyond any doubt, that it would be no injury or injustice to the men to do so?—I think the reverse is the case.

5119. You have been asked about the law of New York; but I must confess I could not exactly follow the honourable and learned Member for Chatham myself; have you ever been from Calcutta to New York?—No, but I have been from New York to Calcutta.

5120. Are you aware that in vessels going from Liverpool to Calcutta, from Calcutta to New York, and back from New York to Liverpool, whole crews desert at New York?—I know it is not unfrequently the case.

5121. Do you know that they can have all their wages at New York?—I am not quite so sure about that; I have heard in many cases the seamen have demanded their wages in the States courts, and have succeeded in getting them; but I am not at all sure that that is the law of the Federal courts. I know a case, the other day, where a judge in Oregon decided in favour of the seamen, that decision was subsequently reversed by the Federal Court; but I believe it to be the case that masters have paid wages to their crews at New York.

5122. Supposing I tell you that it is the invariable custom for crews coming from India to New York to desert, and that they invariably receive the whole of their wages, and the master is utterly incapable of stopping any portion of them, what should you say?—Of that I have no knowledge; I have given you all my information on that point.

5123. What do you think of the present advance-note system; that has been a question that has been mooted a good deal in this inquiry before this Committee; do you think it is possible to do away with advance notes at the present moment?—I think it is quite possible.

5124. What would be the result?—I think the result would be very advantageous to the boarding-house keeper and the crimp. I think it would be a very great advantage to them to have the advance notes done away with.

5125. Will you explain?—All I can say is, where the practice is the worst with reference to the boarding-house keepers and their runners, there is no such thing as an advance note. I can give you an instance in point; the very last time I cleared a ship from New York, the shipping master came to me, and said, "You have always been very particular about the class of men that were put on board your ship; only yesterday another man (mentioning another shipping master) was obliged to give up one of the New York packet ships, because he could not put a crew on board. I can only tell you if you will not accept the men I send on board your ship I shall give your ship up, and you may go to somebody else;" under those circumstances I was obliged to take the men who were sent, and a very motley crowd they were. The very last man who came on board was dead drunk; he had the cut of a sailor, he was a man with square shoulders, considerable roll to his walk, very drunk, and the shipping master said "He is a Swede; he has been to sea 30 years, and is as good a seaman as ever you had on board your ship." I paid over 90 dollars advance for him. When we were passing Staten Island, this very excellent specimen of a seaman tried to walk over the gangway with a carpet bag in his hand; I called my chief officer up, and said, "Mr. Wolff, what on earth is that man about?" "He wants to go ashore, sir." "Is not he a seaman?" "Yes," was the reply; "he is a thorough seaman every inch of him." I said "It is very odd, you had better put him to work;" he replied, "he is only scheming, he will come-to bye and bye"; but when we got to sea, I found the first-rate seaman was a New Jersey farmer who had never had his foot on board ship in his life, and this is a specimen of what is done where advance notes do not prevail. If you do away with advance notes, shipowners will still have to pay advances, and you will bring the shipowner and the crimp into terms of good fellowship, they will have to shake hands. I should very much like to see the advance abolished, but to do away with the advance note is quite another thing. I think it is far preferable if you are to have an advance that there should be an advance note.

Mr. *Bates*—continued.

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5126. You always give advances?—Always. I remember in 1858 the shipowners in New York all combined to put a stop to the system of advances, and they proved that there was not very much more combination amongst them than there is amongst the shipowners of this country. They all agreed solemnly not to give advances to any men, but they only held out for about a week or ten days. The boarding-house keepers opened their houses to the seamen and said they would keep them twelve months, if necessary, and give them two or three glasses of grog a day. The result was at the end of a week or ten days the shipowners caved in, and there has been no question about advance since.

5127. In New York they give advances to these runners; you pay the advance; you have no note?—The shipping master is not a servant of the Government. The owner knows the shipping master, the shipping master takes all the other arrangements off his hands and charges the advance for the men he puts on board. He is in communication with the different boarding-house keepers; and mind you, the shipping masters in New York, as a rule, are a very respectable class of men, very different from New Orleans. They transact all the business for the shipowner. I am perfectly certain if the men insisted on an advance, which I have no doubt they would do, and you had a ship to send to sea to-morrow, you would find it your interest to have somebody as a go-between, and I see nothing in

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Mr. *Bates*—continued.

in the clauses of the Act, the 146th and 147th and succeeding clauses, that would prevent an owner in some way from making arrangement with the boarding-house keepers.

5128. I believe there is nothing whatever in the Bill to prevent owners doing that; but do you think that is a proper position for a ship-owner to be placed in?—That is another question. He is very much like other employers of labour in the market, and must do what he is forced to in order to get men for his ship.

5129. You think it would be utterly impossible to do away with the advance note at present in England?—Not impossible. In the Bill of 1875 I think it was proposed to do away with the advance, but I am not certain that you could do away with the advance by Act of Parliament. I am not sure that some means would not be found to evade the terms of the Act. I can only say that personally I am very strongly in favour, if possible, of doing away with the advance, but to do away with the advance note only would, I think, do harm.

5130. You said that, after signing articles, you think it ought to remain possible for an owner or captain to get his men on board?—That is what I think.

5131. And, if necessary, by force?—I think so. I do not think really, as a matter of fact, much force is used beyond taking a drunken man by the arm, taking him down to the ship and putting him on board.

5132. Is that what you call arrest without warrant?—I do not suppose that is exactly what is meant by the Act.

5133. That is all you have ever done?—I have never been on shore. I have simply been on board the ship and have received the men as they have been put on board.

5134. You know how your men are put on board?—Yes.

5135. That is the mode of doing it?—Yes.

5136. Do not you think if the power of imprisonment which now exists was taken away it would be a great injury to the men themselves; do not you think it acts very much as a deterrent?—I am hardly able to answer that question. I have said already on that point I am not able to give a very strong opinion.

5137. You were asked about the riffraff, tailors and tinkers. I suppose you do not find out they are tailors and tinkers until they get to sea?—The truth of the matter is this, when men are plentiful, you can pick your men, but if they are not, you must take whoever comes along, therefore you are absolutely obliged to take men who you know will be of comparatively little use to you.

5138. Did you ever know a good man who got a little intoxicated the day he sailed, so that it was necessary to put him on board?—I have no doubt good men do get tight sometimes.

5139. He would not be a sailor, would he, if he did not get drunk sometimes?—I am not sure about that; but I know a good many men do walk on board sober.

5140. I do not mean to say that every sailor in England does that, but we are now speaking of the generality of sailors; have you never found when you have got to sea, that the men who were placed on board in that manner turned out to be first-rate men when sober?—Those are the exceptions, but sometimes it is so. I think the better class of men might be what Jack would call "half a sheet in the wind," but they rarely come on board so drunk that they are not able to do their work. You generally have a proportion of your men drunk in sailing ships, but as a rule you would not have more than one-third, or from one-third to one-half. Of course it depends on your crew.

Mr. *Bates*—continued.

5141. You said you thought Clause 16 required amendment with regard to naked lights and striking matches?—Yes.

5142. Do you not know, from your own experience, that many ships have been lost by sailors getting in a hold and striking a light in the endeavour to get at the spirits?—I know that sailors constantly do do that, and I have very strong reason for believing that in many instances that was fatal to the ship.

5143. Do you remember the case of the "Cospatrick"?—In that case I believe the fire did not originate in the main hold; I am rather inclined to think it took place forward.

5144. What was the case of the "Tweed," Mr. Willis' ship; did not that come before the Board of Trade?—I do not remember the case.

5145. You think it would be utterly impossible to carry out the suggestions made by Captain Pitman with regard to allotments to sailors?—I think so; I think it is hardly practicable, and I should like to say one word more as to a suggestion I put in, with reference to the seamen's money being paid by the owner to the Superintendent of Mercantile Marine. I ought to have mentioned that I have spoken to the Assistant Secretary of Finance at the Board of Trade with reference to it, and although he in the main agrees with the suggestion, he thinks it would require some few verbal alterations to make it conform to the present Act with reference to the savings banks.

Mr. *O'Shaughnessy*.

5146. We are told that the abolition of the advance note would tend rather to the advantage of the boarding-house keeper, and those who correspond to the runners?—Yes.

5147. As I understand, there is something like co-operation between the runners in New York and the shipowners?—No, the shipping master is not a government servant, and he acts as the agent for the shipowner. He undertakes the whole business of engaging the men and putting them on board.

5148. Are these runners of New York as a rule of a respectable and good class?—Everything is comparative. I should not say they were particularly so, but compared with those of New Orleans, they are men of admirable character.

5149. Contrasted with our own boarding-house keepers in Liverpool and London, and our own crimps, are they of good character?—I should say a certain proportion of them were, and there are amongst them no doubt men of very bad character.

5150. Do you think that they are a less objectionable class than the English crimp and the English boarding-house keeper?—I really am hardly able to draw a comparison between the boarding-house keepers in New York and those in this country.

5151. Do you think the system of getting men by runners in New York does involve as much drunkenness

Mr. *O'Shaughnessy*—continued.

drunkenness on the part of the men, and as much extortion on the part of the crimp or the runner, as it does in England?—I think more so.

5152. What is the origin of the necessity of an advance, whether it be on an advance note or unsecured by an advance note. Of course it is the impecuniosity of the sailor; the sailor has no money to purchase his outfit?—Well, I rather think it is one of the many things we have inherited from our grandfathers and our great grandfathers. At one time the East India voyage took a very great length of time, and the seaman leaving home going to ports abroad where he could get no outfit was compelled to give himself a good outfit before he went to sea. Now there is not a port that a sailor calls at where he cannot get slops or clothing, or anything else. It really commenced at a period when seamen could not purchase abroad what they wanted.

5153. When he lands in Liverpool and has to wait there some time, and finds himself in want of money to purchase an outfit, is not that the result of bad habits and of his want of economy?—I do not know that I would like to answer that specifically quite so, but I do think the advance is very injurious to the well-being of the seamen.

5154. And you think it encourages extravagance and the undue spending of his money?—I think it does.

5155. Do not you think it would be advisable to discourage that as much as possible, and to try and induce, within our own jurisdiction at least, some habits of economy and some habits of saving?—Quite so.

5156. Do not you think, if you abolish the advance note, it is getting rid of the machinery by which extravagance is encouraged. You would do something for the time, at least, until a new era sprang up to discourage extravagance?—No, I think not, because I think the advance is the substance, the note is the shadow, and I do not think your abolishing the advance note would at all affect the principle of the advance.

5157. You think the advance would take its place immediately?—I think instantly, and that it would be paid in a very much more injurious way to the sailor.

5158. For that purpose it would be necessary that there should be some system of understanding arrived at between the shipowner and the crimp?—Or the boarding-house keeper; between somebody and the shipowner most undoubtedly.

5159. Do not you think that the shipowner, being thus brought into more direct connection with the transaction, would have a greater interest in endeavouring to improve the crew and to encourage economy amongst his sailors than he has at present?—I do not think so; it is not the case on the other side of the water.

Mr. *Torr*.

5160. You spoke of money paid at New York on behalf of sailors; do sailors themselves get any portion of that money?—My own impression is where a man is a thorough good seaman, as a rule, both in New York and in this country, he gets the money, or a very large portion of it, and where he is either a man entirely given up to liquor or a man who is not a good seaman, and who, consequently, may be imposed on by the

Mr. *Torr*—continued.

boarding-house keepers, he does not get a single farthing.

5161. Such a man as you described who come on board your ship, would he get any?—Not a penny.

5162. Of course if they come on board in a state of drink, they come without a penny in their possession?—As a rule they come on board, perhaps, with a pint or a quart of very bad whisky, and perhaps with a spare jumper or something of that kind; that is the way they put them on board in New Orleans and New York. When men are scarce is the time that they get the opportunity for this. I remember one crew being put on board in which there was not a single sailor. The nearest approach to it was a man who had been for 40 years captain of a canal boat. He had been in the strong room in the boarding house, in New Orleans, nearly a week, and when he was taken to the shipmaster he declined to sign. The runner struck him between the eyes, and knocked him down; the shipmaster helped to swear at him, and he was made to sign; that was in New Orleans.

5163. Then the sum you pay for these men you put to the debit of the men, and deduct it from their wages on arriving at Liverpool?—The voyage I was speaking of was from New York to Calcutta.

5164. You do go from New York to Liverpool?—Yes; but I have never been in command of a ship other than a British ship coming from New York to Liverpool.

5165. Have you ever arrived in Liverpool with a crew that had received advances in New York more than the wages they were entitled to?—Very often.

5166. They have nothing to receive on reaching Liverpool?—Nothing whatever. They are indebted to the ship.

5167. Do you think it is any loss to shipowners to take boys of the class you allude to?—I am sorry to say both the shipowner and the shipmaster have, for years, proceeded on what I consider a very selfish policy, and I do not know that I am in that respect entirely free from blame myself. They argue a man eats no more than a boy, therefore it is more economical to take a man than a boy. The consequence is, they all go in for taking men, and sufficient boys are not educated for the mercantile marine.

5168. Which you consider a great loss to the mercantile marine?—Most undoubtedly. We do not educate the seamen, therefore it is impossible that we can have them, and we are obliged to take any substitutes we can get.

5169. Have you anything to suggest to improve the class of boarding-houses to which the sailors go?—I have not sufficient knowledge. I believe that some of them are very respectable, and I have no doubt that there are others as low as they possibly can be.

Mr. *Burt*.

5170. I understand you distinctly to offer the opinion that the power of arrest without warrant, and of imprisonment for deserting on the part of the men, is not necessary in the case of genuine seamen; in your long experience, have you ever found it necessary to send men to prison for an offence of that kind?—No; do you mean in the United Kingdom?

5171. Yes, I mean in British ships?—Never.

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Mr. *Corry.*

5172. Have you ever had any difficulty in getting your men on board, just as the ship was leaving the dock gates?—Yes.

5173. If this law had not been in operation, do you think that the men could have been put on board as easily as they were?—Certainly not.

5174. Supposing you had a crew of 30 men, many of those men would come reeling on board just as the ship was leaving the dock gates?—As a rule, old shipmates going on the voyage with you again, would be on board early, but the rest would jump on board probably at the dock gates, with the exception of some defaulters who would be drunk, and would be brought on board by the runners afterwards.

5175. If there was not the present law, do you think that those men who jump on board of their own accord, would likely to be there if they thought that they could not be put on board?—I am not clear about that; I should think most of them would. I fancy it is the minority that you would have to put on board.

5176. Have you ever had instances where you had the crew shipped at, say, 6 o'clock in the morning, when tide time was not until 12 or 1 o'clock, in which men have not come on board until the ship was leaving the dock gates?—I can hardly give you exact figures, but we are sometimes obliged to put riggers or lumpers on board to take the ship into the river.

5177. Have you ever been in San Francisco?—I never have.

5178. You do not know anything about the blood-money exacted by the boarding-house keepers from the captains of ships?—No, I do not.

5179. I presume you approve of the way in which crews are engaged and discharged in this country in preference to that in New York?—If you asked me simply as a shipmaster, I should say, on the whole, I prefer the New York system, simply so far as convenience to myself is concerned.

5180. Which do you think is the best for the men?—I think there is more protection to the men under our own system undoubtedly.

5181. You think the men are better looked after by our shipping-office system than by the system in existence in New York?—I am hardly able to say that. I see very little difference as to the engagement. The man comes to the shipping office in New York, as a rule, with the boarding-house keeper. The keeper goes to the shipping master, and says, "I have so many men I want a ship for." If men are plentiful, the shipping master gives a little slip of paper to each man, and sends him to the ship he proposes he should join, with this memorandum to the captain. If the captain or his chief officer approves of the man, he initials it, and the man takes it back to the shipping office, and being initialed, his name is put on the articles, and the amount of advance is agreed to; but if men are scarce, the shipping master is unable to do that. The shipping master has a direct understanding with the boarding-house keepers, and the whole thing is made up between them. I really do not exactly know how, but as far as the ships themselves are concerned, and the masters, it works uncommonly well.

Mr. *Gourley.*

5182. In the event of seamen being subject to civil proceedings in lieu of these criminal proceedings, you do not think such an alteration in the law would be sufficient to prevent men absenting themselves from their ships, or deserting?—No, I do not think so; I think it would be entirely nugatory.

Mr. *Gourley*—continued.

5183. Do you mean to say unless you have this criminal rod hanging over the head of the seamen it would be impossible to get them on board the ship?—I hardly go that length; I said I hardly could give a very definite opinion with reference to the imprisonment, but I think unless the runners were able to put the seamen on board the ships we should have very great difficulty indeed. There is always some one accompanying the men to see them on board.

5184. These runners have no power to put the existing law into operation; they merely assist the owner in getting his men on board?—They really succeed in doing it, and I suppose they have the present law to fall back upon as a sort of moral suasion to induce the men to go along with them.

5185. Do you not think moral suasion would be quite as effective under a civil process of law as under a criminal process?—No, I do not think so, because you are utterly unable to reason with a drunken man; I think it is greatly to the advantage of a shipowner that you should be able to take a drunken man by the arm and put him on board your ship; you cannot reason with him.

5186. Cannot you do that under a civil process as well as under a criminal?—No, I do not think you can; you have no business, under those circumstances, to take hold of a drunken man and lead him on board the ship.

5187. Is not the action of the owner altogether illegal?—To a certain extent, no doubt, it is so; these things get to be very much a matter of custom.

5188. Do you think it would be any advantage to shipowners and seamen if the owners were permitted to engage and discharge their crews on board ships?—My own opinion is the Mercantile Marine Fund is pretty heavily taxed already, and if you were to insist on a man being engaged and discharged on board every merchant vessel you would increase the taxation to such an extent that it would be a very serious thing indeed; it would be a very great advantage for the shipmasters and owners, but the expense would be very large.

5189. The cost of a day's work for a clerk would not be very much; I would much sooner pay on board than on shore?—No doubt if the shipowner was willing to pay for it, it might be done, but then, you see, there is another question; I am not very certain what the opinion of my own department might be with reference to that, because you must give the man before whom these men are paid off some official rank and power.

5190. Do you not think the wearing of the Government uniform would be quite sufficient?—No, because he must either be a superintendent or deputy superintendent of Mercantile Marine; he must have some power under the Act to settle disputes, and to see that justice is done to the men.

Mr. *Brassey.*

5191. You have heard the proposition that seamen should have the option of obtaining a certificate

Mr. *Brassey*—continued.

certificate as A.B. on examination; do you attach any value to that suggestion?—I must confess I do not attach any great value to it; I think it says a seaman must have been four years at sea. Take a boy 17 or 18 years old and send him to sea, and at the end of four years, if he is big enough, he will probably make a very good seaman; but if you take a landsman and send him to sea for four years, the probability is at the end of that time he does not know very much.

5192. You do not attach any value to the proposition as tending to improve the quality of seamen?—Not at all, because we only have a certain number of seamen, and it is perfectly impossible to make any more of them by examination. It would only be of use for the purpose of classification.

5193. I think you said you had not much experience of boarding-houses, or I should have liked to have asked you whether it would improve their character to have them licensed by the Board of Trade?—It would be a very good thing to have them licensed by the Board of Trade and brought under some kind of supervision.

5194. That has, I think, been recommended by the Shipowners' Association at Liverpool?—I am not sure; I read over their evidence some time ago, but I do not remember.

Mr. *Macdonald.*

5195. You were asked a question with respect to the look-out, and you said where crews were small it was difficult in dirty weather not to have all hands at work, and therefore the look-out was taken away?—That was hardly what I said, I said when shortening sail in dirty weather.

5196. You are pretty clear on the subject of punishment to seamen; do you think it would be wrong to have a little punishment to a shipowner who sent his vessel to sea so undermanned that they would require to take a man from the look-out?—Well, this only refers to very small vessels; in large vessels there is a man for the look-out. You must remember the extent to which the small shipowner has to compete; it is just as much as he can do to make a living, and I very much doubt, under these circumstances, whether it would be right to necessitate that he should carry such a number of men, because the number of men may be quite sufficient to man and work the vessel, and still they may not be sufficient in case of a sudden squall, or dirty weather, to prevent their taking the man off the look-out to shorten sail, besides which it is to be remembered that that has always been the custom afloat.

5197. Do you think any man has a right under such circumstances to endanger life or property, or that a body of men who are shipowners and captains should require a man to be taken from the look-out, in order that they may compete with others?—No; but I think it is very difficult to find a remedy for it. I think in some classes of vessels, especially coasting steamers, some sort of remedy ought to be found for it, because I think they are really a standing menace to all the other vessels in the trade.

5198. Is it your experience that when the look-out is removed there is danger immediately of fouling or coming into contact with other ships?—Vessels in narrow waters are always in danger of collision, and there ought to be an efficient look-out on the whole of them.

Mr. *Macdonald*—continued.

5199. Do you not think that there should be no circumstances in which a vessel should be so undermanned that there should not be a man for the look-out, particularly when they are hugging the shore?—It would be very difficult to lay such a law down for some of the small vessels in the trade. The effect of making such a rule would be immediately to wipe all these vessels out of the trade.

5200. Is it your opinion that we should go on endangering life and property in order to afford some small traders an opportunity of competing?—That is not exactly my view, but you must remember these very small vessels are much more easily handled than larger ones; it is very much easier for them to get out of the way of another vessel than for a big ship to do the same thing, besides which these small vessels are not in themselves such a standing menace or danger to other ships as the steamers are.

5201. Is there any circumstances in which you can say particularly in close waters there should not be a proper look-out continually kept?—In my opinion there ought always to be a proper look-out, but I see a very great difficulty in legislating to ensure it in the smaller class of ships.

5202. Then you think such words as "a proper look-out" should not be in the Bill?—The only remark I made with reference to it was that it would be difficult to enforce it amongst very small vessels. Do not suppose that I am in the least hostile to the clause; I am very much in favour of any clause which will insist on a good look-out being kept, but I see some little difficulty in carrying it out in the case of the very small vessels.

5203. Would you think it wrong to place in the Bill such a clause making it more stringent as this, that any master removing the look-out under any circumstances, should be liable to be sent to prison for three calendar months?—I should not object to it in the case of vessels of a certain tonnage, but I do not quite see my way in the case of small vessels. You must remember I have been at sea pretty nearly all my life. I have spent some 30 years afloat, and I do not quite see how you can at once by Act of Parliament produce such a very radical revolution amongst all the smaller class of vessels. You must remember, in the case of a vessel manned by four men, if you put one extra man on board that would not provide for a look-out; you require several men to relieve one another.

5204. Do you think we could carry on our mercantile traffic without a proper look-out?—I think all possible precautions should be taken, but I am very doubtful about wiping out a very large number of vessels, simply to produce such a result.

Chairman.

5205. Do you think the courts of law under the 15th clause, will require a man to keep more look-out than he can furnish?—I should think not.

5206. Does not the 15th clause leave it to the discretion of the court to say whether he kept as good a look-out as he could?—I think so.

Mr. *Wilson.*

5207. I suppose your experience has been in a large class of ships?—Not entirely; for a great number

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Mr. *Wilson*—continued.

number of years it has been in a very large class of ships.

5208. Are you aware the English sailing ship trade, especially to the Baltic, is almost extinguished?—I was not aware of it, I have heard said that that is the case.

5209. That it is practically extinguished, and that the trade is now carried on by Swedish and Norwegian shipping?—No, I was not aware of that; I thought it had been superseded by steam.

5210. You are not aware of that?—I have had no experience myself of the Baltic trade.

5211. You are not aware that they are not subject to this continued legislation on board Scandinavian ships?—I have heard it generally asserted.

5212. Do you know who asks for this legislation as proposed by this Bill?—I have no idea.

5213. Is it the shipowners?—I really am unable to give an opinion.

5214. Is it the sailors?—That I really do not know.

5215. You never heard of any sailor requiring any alteration in the law?—No.

5216. You say shipowners and shipmasters are very selfish people, as far as the engagement of their crew goes?—I say I think they have been.

5217. Do you think they are more so than any other class of people?—Well, it is rather a hard question to answer; but I think that their general policy has been against their own interest in not carrying boys, and educating a sufficient number of men for their service.

5218. And you do not think the shipowners of England ought to be the best judges of what is in their own interest?—I think the reason is because there is no combination whatever amongst them.

5219. Are you not aware that in every large port there is a combination of shipowners?—To a certain extent.

5220. Are you not aware it is for general purposes, to a very considerable extent?—I know nothing of what may take place at the Port of Hull, but I know the difficulty shipowners have experienced amongst themselves in carrying resolutions of a general character.

5221. You have told us that shipowners do not educate a sufficient number of seamen. Are you aware that a great many Scandinavians and Finns are at present in the English service?—Yes.

5222. Do you know how they get into the English service?—I presume they ran away from their own; many of them, I know, run away during their apprenticeship.

5223. Are you aware, on the contrary, that they come over to England in large numbers with a very good outfit, but without any money, to seek employment on board English ships?—I was not aware of that; but I have had a large number of that class of men under my command when sailing from New York.

5224. Can you understand that the advance note, which they know they can get when they arrive in England, is a great inducement for those men to come to England?—I should doubt about that. I do not see, if they have so good a kit, and are so well off, why they should require an advance note.

5225. Cannot you understand that when they come to England, they have to come to a lodging-house and remain there a few days until they get a ship?—Still, if they are such respectable men, I should think the lodging-house keeper would be very glad to trust them with board for a day or two.

Mr. *Wilson*—continued.

5226. How is he to trust them when these men go from, and perhaps do not come back to, that port again?—That is another question.

5227. You can see there is a difficulty?—I know there are great difficulties connected with the advance question, and I am not sure that it would be possible to abolish it. I am not at all sure that any such clause in the Bill might not be evaded.

5228. You are not aware, that on the East Coast, all seamen take advance notes?—I should think so; because I know, on the East Coast, a large proportion of the men find their own provisions, and of course they must have money for that purpose.

5229. You suggest, that if a man is incapacitated from illness or disease, he should be *put* off duty, and his wages divided amongst the rest of crew?—I did not say "put off duty," but if he was off duty.

5230. That would be rather a hardship to his wife and family at home?—I do not think so. If he was on shore working, he would only be paid for those days when he was working.

5231. Have shipowners ever asked for anything of the sort?—Not that I am aware of.

5232. Do you not think that such proposals and additions to legislation are very prejudicial to the satisfactory working of shipping?—I do not think so. I think it would improve the discipline of ships at sea amazingly. It would prevent men scheming illness and knocking off duty at sea when they ought to be at work. It would be a protection for a good seaman from a bad one.

5233. I think you made some sort of proposal to the Committee that the Mercantile Marine Superintendent should advance money to seamen?—Yes.

5234. Is that with the support of the Board of Trade?—Under the instruction of the Board of Trade.

5235. How do you mean "under instruction"? Do you mean that that is a proposal favoured by the Board of Trade, or is it your own?—It is my own proposal; I submitted it to the Permanent Secretary of the Board of Trade before I produced it here; but the suggestion is my own, and made entirely on my own responsibility.

5236. It has not received any sanction or approval from the Board of Trade?—It has not; the Board of Trade could hardly in that way propose it to the Committee.

5237. It is merely in the form of a suggestion of your own, and not of the Board of Trade?—Yes.

Chairman

5238. The honourable Member for Hull has asked you whether you knew of any demand on the part of shipowners or seamen for this Bill, and you said you were not aware; cannot you conceive that Parliament, as representing the general feeling of the country, might possibly demand that there should not unnecessarily be an exceptional treatment of one particular class of workmen of the country by arrest without warrant, and by imprisonment for breach of contract, differently from all other workmen, and in abso-

lute

Chairman—continued.

lute antagonism to the spirit of our laws?—Quite so. I merely wished to convey that I personally knew nothing of it.

5239. Supposing Parliament took that view, and asserted that they would no longer tolerate the arrest without warrant of seamen while ashore, or their imprisonment for breach of contract, do you think it would be absolutely impossible for shipmasters to get their crews on board in consequence?—I suppose everything is relatively a question of expense and delay. I do not suppose there is any impossibility, but I think the question of expense and delay would be very great indeed.

5240. Would it not be rather a strong measure to violate the ordinary law of England, and expose one class of workmen to arrest without warrant and imprisonment for breach of contract, merely because treating them like other workmen would cause a certain amount of expense and delay to their employers?—I must confess I think there ought to be exceptional legislation as far as seamen are concerned.

5241. You think that this exceptional law for seamen is justified by the expense that would be incurred by treating them like other workmen?—Not only the expense, but the detention in the case of a mail steamer or passenger steamer would be very serious, and I have had more than 1,100 people on board the ships I have taken across the Atlantic.

5242. Supposing a colliery to fall in and enclose 100 men, and a batch of navvies were engaged to get them out, and they failed to set to work, could they be treated with imprisonment?—I do not think such a case could ever occur; I do not think it would be an analogous case.

5243. Tell me in what particular is the case of navvies contracting to execute an important work for payment different from that of seamen contracting to go on board?—It appears to me the cases are different altogether. As far as our ships are concerned, we have to compete against all other nations in the world.

5244. Have not coalowners to compete with all other coalowners?—Not to the same extent. There is not the keen competition between our coalowners that there is between merchant ships of other nations and our own.

5245. Take our iron masters; is there no competition between our iron masters and the rest of the world?—Very great.

5246. As keen as any competition of shipowners?—Yes, I suppose it is.

5247. So upon that point there is no want of analogy; now, on what other point?—It is very easy for the iron masters with their workmen residing on the spot, to bring a civil action against them, besides which, they have mostly wives and families.

5248. Is not that the case of navvies?—I am not so *au fait* with the practices of people living ashore as with those afloat, because a greater portion of my life has been spent afloat.

5249. Are you not well aware that the navvies who execute many great works are just as much without home and as difficult to find as seamen, roaming all over the world; just as wanting in fixed residence and address as seamen?—I do not think the result would be so serious in the one case as in the other; and besides, the crucial difference is that the navvies obtain no advance.

Chairman—continued.

5250. I understood you in the case of good seamen, that there would be no difficulty, and therefore this violent law is to be carried on for the sake of bad seamen?—I do not quite say that there would be no difficulty, but I thought there was very little difficulty with the really good seamen, but the ship is as much dependent upon bad men for her crew as upon the good. She can only obtain a certain proportion of good men.

5251. Do you not think the shipowners themselves are partly responsible for there being such a class of seamen in this country?—To the extent I have indicated, that they do not put boys on their ships, they are.

5252. Might not they take more pains to get better men?—I have no doubt they take the very best men they can obtain.

5253. At all events, you think it a very unfortunate state of things, that whereas all other workmen can be got to their work without an entire violation of the ordinary law of this country, seamen are such beasts that they must be kicked on board like pigs?—It is really the drunken men who are taken on board.

5254. For the sake of these drunken men, this extraordinary law must be generally continued, that is your opinion?—I certainly think it would not be unwise to do away with it.

5255. Most of the evidence you gave upon this point was with reference to cases arising in foreign ports, particularly the United States, are you aware that the United States have now established government mercantile marine offices much like ours?—I cannot state the exact facts from memory, but I will obtain from the Board of Trade copies of certain sections of the United States Act, to put in as an Appendix to my evidence.

5256. I observe you said, seamen are not experts, generally, and therefore it was not fair to give them the power to allege unseaworthiness in defence of themselves against accusation of desertion; have you never heard of any cases in which seamen having alleged unseaworthiness have been able to prove their allegations?—Most undoubtedly; I think you have not quoted me quite correctly. What I objected to was, that subsequently to the seaman deserting from the ship, he should be able to plead the unseaworthiness of the ship as a reason for his deserting from her. I would give seamen every opportunity to complain of a ship if they think proper. I do not object to seamen complaining of a vessel being unseaworthy, but I should like the complaint that they make to be a specific complaint that she was unseaworthy as regards her hull, or her equipment, or that she was making too much water.

5257. What did you mean by saying that a seaman is not an expert?—As far as the hull of the vessel is concerned, he is not an expert; besides which, if you were to put a shipwright on board a vessel, and give him no means of examining the vessel, he would not be enabled to say positively that the vessel's hull was seaworthy or unseaworthy.

5258. Have you known cases in which seamen have stated that a ship was unseaworthy in point of hull, and have been able to prove it?—I have known cases in which they have said it, and it was found to be seaworthy, as far as the hull was concerned, but the spars were found to be defective: therefore he was perfectly wrong in

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Chairman—continued.

his allegation, although there was something the matter with the ship.

5259. Have you not known cases also in which seamen had been perfectly right?—Undoubtedly there have been cases. I do not wish to throw any obstruction in the way of the seamen complaining of the vessel being unseaworthy, either from overloading or any other cause.

5260. With regard to the crimps, I presume you do not wish to relax the existing law under the Act of 1854, which prevents them getting on board?—Oh, no; I would make it as stringent as possible.

Chairman—continued.

5261. And you approve of the 26th clause of the Bill which makes it more stringent?—Quite so.

5262. What proportion of the ships, against which seamen have lodged complaints, have been found to be unseaworthy?—I cannot furnish that; it could be obtained from the Board of Trade.

5263. We have heard evidence from one witness that seamen actually are thankful for being arrested and going to prison, much as a boy might thank his master for a flogging?—I should think that is trying to prove too much.

Mr. JOHN HARRIS, called in; and Examined.

Mr. *Harris.*

Chairman.

5264. WHAT are you?—An Outfitter.

5265. Where do you reside?—Well-street, Wellclose-square, the east end of London.

5266. Be so good as to tell us what observations you wish to make on the Bill before us?—In respect to Section 4, I think it would be quite impossible to carry out that section in respect to seamen.

5267. In what respect?—In respect to the Employers and Workmen Act.

5268. Tell us how?—It would be quite impossible to find the seamen.

5269. That is your objection?—Yes; but as regards London, I believe there have been very few convictions.

5270. How, by the existing law, can you arrest a seaman whom you cannot find?—You have a chance of giving him in charge when you see him, but you are not able to serve a summons on him, as his address is very seldom given accurately.

5271. You think the existing law better?—Oh, yes, so far as London is concerned. I hardly know of more than one or two cases, except where a man has shipped and never intended to go on board.

5272. Then you think the existing law is good, because it is so seldom used?—Sometimes I have to send a crew to an outport. I have taken perhaps, some hundreds to Plymouth, and unless you were able to use force, the men would sometimes stop behind, and would not go on board.

5273. What would they do?—They desert entirely, and you cannot find them. They, perhaps, join other ships, or the crimps get hold of them.

5274. Why should they go to some other ships?—Perhaps they have had an advance, and had the value of it; then they may be biassed by the crimps, and try to ship on board some other vessel.

5275. What you complain of is, that men can get a series of advance notes by deserting from ship after ship?—Yes.

5276. That is the fault of the advance-note system?—It might be in one sense, in consequence of the way in which advance notes are given at present.

5277. How many advance notes have you known a man get?—While this Committee has been sitting there has been a case of a man committed for trial, for not only getting different notes, but forging names, and getting the notes cashed.

Chairman—continued.

5278. That objection would tell against bank notes generally, would it not?—It would.

5279. How are men generally got on board ships under the existing law; men who neglect to join?—I am speaking now of London; there is no real difficulty in getting men on board; a man stays at a boarding-house, then the boarding master will take him down to the ship with his clothes, or if he stays at the Sailors' Home, the porter will take him down with his clothes; but if a man does not feel inclined to go in the ship, perhaps a crimp will get him on shore again to have a glass of ale, and so prevent him from going.

5280. Supposing Clause 4 was passed, how would that power be done away with?—If you were taking a man to an outport, you would hardly ever be able to get him on board, if there was not that power hanging over him, so that you could call a constable.

5281. At present, loiterers or defaulters are got on board by runners laying hold of them and taking them on board; supposing Clause 4 was passed, I ask you whether that mode of getting them on board by runners would not be just as practicable as now?—Oh, yes.

5282. So that the passing of Clause 4 would not in the slightest degree interfere with the present mode of getting defaulters on board?—I am speaking of the men who are not defaulters, men who are willing to go in the ship.

5283. You do not want any compulsion for men who are willing?—No; but I may say as far as London is concerned, I never knew this Act for compulsorily putting a man on board to be put in force.

5284. What is your objection to Clause 4?—You could not take a crew to Plymouth, unless you had command over the men. After they had received their advance in London, you would have trouble in getting them on board the ship.

5285. Is that the only difficulty to your mind in respect to Clause 4?—That is the only difficulty.

5286. Is there any other point in the Bill you wish to make an observation on?—I am afraid owners would not agree to Clause 5 as it at present stands; I think it should be altered to "Where a seaman or apprentice to the sea service, has received an advance on wages," instead of "Has received money." I do not think the London owners will ever agree to give seamen an advance of money.

5287. What is your objection to Clause 5, which

Chairman—continued.

which imposes a penalty on a man who receives money and absconds with it?—I would let the clause stand, but instead of "Has received money," I would have "Has received an advance of wages."

5288. You want to add advance notes?—Yes.

5289. You think the same penalty should fall on a man who absconds with an advance note?—Just the same.

5290. Is there any other point you wish to refer to?—In Section 6, you state that a man who deserts his ship shall forfeit his clothes. In that case, he would be in a very bad state to go to sea again, particularly after having been imprisoned. To make him forfeit his clothes after imprisonment, would be a very great hardship on him.

5291. You think when a man has deserted, he should have his clothes sent after him?—I think if he is imprisoned, his clothes should be sent to the shipping office.

5292. Is there any other point you wish to refer to?—On page 9, line 16, you say, "or in respect of a payment made under an allotment note." After owners have made an allotment note, I have known the wives have advances from the owners by producing their marriage certificates; and I have also known the parish support a wife during the time the seaman is away, but in the Bill you state no deduction shall be made from the wages except in respect to the allotment note. Then I think something might be added to Section 26, to the effect that any crimp, loafer, or runner, loitering or assembling near any dock entrance, shipping office, or Sailors' Home, shall be summarily removed and taken into custody, and shall be liable to a penalty not not exceeding a certain amount, or to imprisonment.

5293. In what way would you define a crimp?—I think they are well known to the police. When a ship is leaving the docks I have seen them call a man away and treat him, and prevent his going with the ship. Then they will, perhaps, ship him for another ship, and get an advance note.

5294. Until a crimp has cheated a man, he is nothing more than a boarding-house keeper?—But these are men who are in the habit of continually doing these things. When the shipping office was in the City of London, the police would not allow those people to come around.

5295. What is a crimp?—A crimp is a man who will stay with a seaman till he has spent every shilling, and then send him to some such place as Gravesend.

5296. Supposing a crimp is a boarding-house keeper who cheats; how can you take him up till he cheats?—A boarding-house keeper should be licensed in my opinion, in the same way as a beer-shop keeper. These crimps infest the neighbourhood of the docks and shipping offices, and get hold of the seamen, and, perhaps, take them to a ship and get an advance note, which they get cashed. Then they take them down to Green's Home and ship them again, and at last, perhaps, you find the men tramping to Liverpool. That is an every day occurrence.

5297. Would it not be a rather strong measure to give the police power to arrest anybody who loiters about the docks?—It depends on the character of the person. Your officers know the class of men.

Chairman—continued.

Mr. *Harris.*

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5298. I should not like my own liberty to depend on a policeman's knowledge of me?—I think it would be of the greatest benefit to the seamen.

5299. Have you any information to give us with regard to crimps, generally?—No further than I have stated. I may say that in all the ports of Europe advances are given to seamen. It would be impossible to ship seamen without advances of some description. In Sweden, they have a book of this description (*handing a book to the Chairman*), in which the description of the seaman is given. In Germany it is the same.

5300. What is the object of this book?—To prevent a man who has shipped in one ship from shipping in another until he is really discharged. If he runs away, the shipmaster will see what ship he left.

5301. Is there not a similar document given at our shipping offices when men are discharged?—No.

Mr. *Gorst.*

5302. This book contains in the first page something like the old passports; the man's height, the colour of his hair and eyes, &c. Then there are discharges from each ship, one ship after another?—

Chairman.

5303. In what respect is this a better discharge than seamen get in our offices?—Because the description given in that book shows if he is the right man or not.

5304. The description of the man is more accurate?—Yes.

5305. And he signs it?—Yes. Another thing is, that the discharges here state at the back "V. G." or "G.," or "Declined." Now, if any little disturbance occurs between the seaman and the captain on board the ship, the captain puts "Declined;" and let the seaman beever so good, he finds a difficulty in getting another ship.

5306. What is to prevent a seaman giving his book to another seaman, or selling his book?—He must be exactly of the same description, of the same height, with the same coloured hair, with the same marks on his person; and the book is also a check to show how many times the man has been at sea, and how long he has been at sea.

5307. Can you tell us a little with regard to the advance-note system?—I have just happened to put my hand on a few of them. These (*handing in a parcel of notes to the Chairman*) are bad ones, and they are only a few out of some hundreds that I have cashed during the last few years. Advance notes have proved so worthless, that really I have at last declined to cash them at all.

5308. About what amount of discount do you take off?—Generally I used to give them half clothes and half money,

5309. What discount did you take off the advance note?—If the man was an old customer, and was in the habit of trading with me, or was a married man, and I had confidence in him, I should charge him 1 *s.* 6 *d.* in the pound, and give him full money.

5310. Do you advance money on the advance note to the man himself?—Yes.

5311. A very small part of it?—I give him half money and half clothes, or, if he is a married

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Chairman—continued.

man or an old customer, and I have confidence in him, then I give him cash.

5312. But the advance note is not cashable by you until three days after his going to sea?—The notes are different in London from what they are in Liverpool. Three days after the ship has left the Downs, provided the man sails in her, the note is payable. Sometimes I have known a ship remain in the Downs a month, and sometimes you go to the office and they say that they have not received any advices from the captain. Then afterwards, perhaps, they state that the man is not in the ship. In one case in particular which I have here, they stated that the men were not in the ship. I went to the Board of Trade and got the Registrar General's letter stating that the men had sailed in the ship. I then summoned the party to the sheriff's court; he stated that the men were not in the ship and that the notes were not legal documents, and I had to pay costs. Since then the men have come back and they have handed me their discharges showing they were in the ship. So that the advance notes are worthless bits of paper, and you cannot expect that the seamen will get the full value of them.

5313. I suppose you would not advance any money on an advance note except to a man whom you knew yourself?—At one time I used to advance to any person half clothes and half cash, but the losses got too great. If the man fulfils his agreement and goes in the ship, then you have to go to the owner or the broker, and in some cases you get the money and in some you do not.

5314. Yet you believe that advance notes are given in almost all cases?—In Havre, Germany, and Sweden, they give cash.

5315. But in England do you believe that all seamen on engaging get an advance note?—I never knew one to go without one.

5316. Yet, from your account, there must be a great number of those men to whom the receiver of the advance note would not advance any cash. You say you would not give cash to anybody you did not know?—Some people run the risk, and charge an enormous per-centage, so that the seaman does not get a quarter of the value of his note.

5317. What is the largest discount you have ever known taken off an advance note?—I have known but very few who would give all cash. I believe there is one office open where they cash the notes for 2 *s.* in the pound, at the present time.

Mr. *Bates.*

5318. All in cash?—All in cash, I believe.

Chairman.

5319. But is it not ordinarily the practice that the advance note is paid either to an outfitter or to a boarding-house keeper for a debt incurred, and not for cash advanced?—Some seamen stop with their friends, some stop at the Home, and some at a boarding-house. Perhaps the man owes money for his board, and the boarding-house keeper gives him the balance.

5320. Is it not the case that very often there is no balance at all; does it not happen that in 99 cases out of 100 the advance note simply goes to pay off a debt?—Far from it. Taking the number of seamen in London at the present time, I should say that there are not more than half of them in debt for two or three weeks' board. If the advance note was made a legal document, and attested by some clergyman in the district, or by the shipping master, it would be a great boon to the seaman and also to those who cash the note.

Chairman—continued.

5321. Do you believe that a large proportion of the boarding-house keepers, to whom sailors resort, are what we call crimps; that is to say, men who are ready to cheat them?—No. There is a certain class of boarding-house keepers who are very respectable men.

5322. What proportion of boarding-houses in London do you think are dishonest places?—I do not believe there are more than six or seven, or ten at the outside.

5323. When we talk of crimps, we mean either dishonest boarding-house keepers or dishonest outfitters, but you think they are the exception?—Yes. I have been 20 years in business, and have held, I might say, every office in the parish.

5324. You think advance notes, in the great majority of cases, are transacted with honest people?—Yes, but there are cases when seamen have fulfilled their agreement, and you cannot recover the money because the note is an illegal document.

Mr. *Gorst.*

5325. What do you mean by saying it is an illegal document?—You cannot sue on it since the Act was done away with.

5326. They must be very inartistically drawn advance notes?—No.

Chairman.

5327. Are any of them stamped?—Yes, they are all stamped. These last few years I have declined to cash them. In fact, I am thinking about retiring from the business.

5328. Is it not the case, not that the note itself is an illegal document, but that the conditions of the note have not been fulfilled?—There is one case where I sued where the conditions have been fulfilled, and they stated that it was an illegal document, and that the men were not in the ship, and the judge gave it against me, and I have the discharge of the seamen when they came back from the ship.

5329. You are quite sure that that was on the ground that the document itself was not legal?—The conditions of the document were fulfilled. It has been tried several times before Commissioner Kerr and before the judge of the county court.

5330. Tell me what your relations with seamen are?—I am an outfitter.

5331. And you sell clothes to the seamen?—Yes.

5332. Have you also had a sort of contract with shipowners to supply them with seamen?—No, not with English owners, but I have with different foreign owners.

5333. Then how came you to take seamen down to Plymouth?—To join foreign ships.

5334. In these cases do you contract with the owner of the foreign ship to supply him with so many seamen?—Yes.

5335. Then these seamen that you took to Plymouth are seamen who have signed articles to sail on board a foreign ship?—Yes.

5336. Are you aware that you could not arrest

Chairman—continued.

or imprison any one of these men?—I did not say I could with respect to those men, but there are other people who take other seamen down.

5337. Answer my question. Are you aware that in every case you could not put a single seaman in prison?—I am not speaking of the cases in which I have been shipping seamen for foreign ships.

5338. Have you ever taken crews down to Plymouth for English ships?—I have not myself, but other seamen have.

5339. Then, as far as you are personally concerned, this power of sending a sailor to prison has not been of the slightest use?—Not the slightest.

5340. So far as you are concerned, you would not care if it was abolished to-morrow?—Not in the least.

5341. As far as the people that you are acquainted with are concerned, you believe the power of arrest is only of use where seamen have to be sent down to ports like Plymouth?—Plymouth or Deal.

5342. When those crews are taken to Deal or Plymouth, who are the men who take them down?—They might go to an outfitter or to a boarding-house keeper and say, "We want so many men for a ship in a certain outport."

5343. Then a contract is made with the owners?—Yes.

5344. What do they get paid?—That depends on the circumstances.

5345. Have you any idea?—Perhaps 2 *l.* or 3 *l.* for their trouble in taking them down.

5346. Taking the whole lot?—Yes. Of course they would pay all the expenses.

5347. Do the men sign articles in London before they go?—Not at all times.

5348. If they have not signed articles how can you imprison them?—They perhaps sign at the port they are going to.

5349. If they have not signed articles before leaving London, are you aware that you could not imprison them?—That is quite true.

5350. Then it is only in cases where the men have signed articles and are afterwards taken to an outport, that this power of imprisonment is given?—Yes, so far as I know. If there are not seamen in London, so far as London ships are concerned, there are always plenty at the pierhead, or they can get a number at Gravesend.

5351. If the power of imprisonment were abolished, you do not think there would be any practical difficulty in getting crews?—No.

5352. Things would go on very much as they do now?—Just the same, so far as London is concerned.

Mr. *Bates.*

5353. Do you ever put sailors on board?—I have never put sailors on board myself.

5354. I mean men who happened to get a little drink, and neglected to join; have you ever put them on board ship?—I have not, but perhaps one of my men has seen them on board ship; but such cases are few and far between. During the last six or seven years I have not seen the drunkenness that there was formerly. It is an extraordinary thing to see a drunken man go away in a ship now.

5355. If we do away with the power of putting a man on board, do not you think the seamen would be more likely to desert, or not to be on the spot ready to go?—I think those that desert now are men that have made up their minds not to join the ship.

Mr. Bates—continued.

5356. But you have power to put them on board now?—The power has not been used in London.

5357. If they have an advance note you never take any notice of them?—They are only the bad men.

5358. But I suppose you have had some good ones?—A great number.

5359. Then do you think the fact that the sailor is liable to imprisonment in any way deters him from neglecting to join his ship?—No; I think if a man intends to go in a ship he goes, and if he does not intend to go, and signs articles, then it is for the purpose of getting an advance, and swindling the owners.

5360. Do you not think in that case the power to put a man on board ship is useful?—It might be useful, but, so far as London is concerned, a captain can always get another seaman to fill his place, and will not go to the trouble of arresting a man.

5361. I am not talking of what he would do, I am talking of the case in which the shipowner has power to put a man on board the ship after he has signed articles, and agreed to go; and I ask you if you think the power that that man knows you possess of having him arrested is any good, or whether he would do just the same if you had not the power?—The power is only useful to get him into the ship.

5362. Has not a seaman got his kit on board?—Generally.

5363. Before she leaves dock?—Generally.

5364. If he deserts he loses his kit?—As a rule; but I have known some men get their things out of the ship.

5365. But that is the law?—I believe it is, as it at present stands.

5366. The owner can detain his kit?—Yes.

5367. Would it not be a very hard case for a poor fellow who got a little drink, and did not mean to leave the ship, if the owner took his kit?—I think it would be to the benefit of the man himself to get him on board the ship, and I think it would be possible to get him on board by persuasion, if you could say to a policeman, "Just take this man on board the ship."

5368. You think that is necessary?—I think that is necessary for the sake of the man himself.

5369. Then are you aware that if that power was taken away it would be an illegal arrest, and that the captain would be liable to punishment for having taken the man on board?—I do not think that would be an illegal arrest.

5370. You think if this law was done away with, and a captain saw his men on the quay, and told one of his officers to get them on board, that would not be an illegal arrest?—Oh, no.

5371. I suppose you have heard of the character given to you and others in this Committee?—I have.

5372. You have heard the general character given to outfitters, boarding-house keepers, and crimps?—Yes.

5373. Do you think it is true?—No, I do not; but there are shabby ones in all classes.

5374. Not as a class?—Not as a class; I think they are as respectable as other trades-people.

Mr. *Harris.*

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Mr. *Harris.*

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Mr. *Bates*—continued.

5375. I think I understood you to say that advance notes could not be done away with?—I said that it would be impossible to do away with advances or advance notes.

5376. By advances, you mean in cash?—In cash.

5377. Suppose you gave an advance in cash to a sailor, what would, generally speaking, become of it?—It would depend entirely on what sort of man he was; some men would spend it foolishly, and others would provide themselves with kits.

5378. But, taking sailors generally, do you think it would be safe for shipowners to give cash to them?—If you could get the shipowners inclined to do so.

5379. But do you think it would be better than giving an advance note?—If they gave the cash, then they would be liable in the same way as other workmen, under your section, for getting money under false pretences.

5380. But do you think if you gave cash to a sailor he would make good use of it?—Generally.

5381. You think he would go to the boarding-house keeper and pay his debt?—Some of them would not.

5382. I am not talking of some, I am talking of the generality of sailors; do you think it would be a wise plan when they are in debt, and their kits are in pawn, to give them cash to enable them to get out of debt and get their kits out of pawn?—I should not give him the cash unless his kit was on board, and then I should naturally give him enough to pay the person to whom he was indebted, who would be on board to receive the cash.

5383. Do you, from your own knowledge, generally think that the advance notes enable the men to go to sea?—They do.

5384. If he had not an advance note, and owed money to his boarding-house keeper, would the boarding-house keeper give up his kit?—Certainly not.

5385. Therefore he could not go to sea?—No; I say it is impossible for the generality of seamen to go to sea without an advance. A ship arrived the other day from New York, and nearly all the crew were indebted to the ship; and the same thing was the case with regard to the men in another ship; and unless those men received an advance of some sort no boarding-house or home would take them in.

5386. They could go to the workhouse?—As I am one of the vestry, I should object very much to their going to the East London Workhouse.

5387. Still they can do so if they are destitute?—Yes.

5388. And when they come out of the workhouse, do you give them any money?—No.

5389. Then they are in precisely the same state as when they went in; destitute still?—Yes.

5390. Therefore you think that the advance note is a necessary evil?—I do not think it is really the evil that people say it is. If you make the note a legal document, I do not think it will be an evil at all. I think it would be a great hardship upon a seaman if the advance note was done away with, because they would never be able to get any articles to go to sea with.

5391. We have heard before this Committee, of a sailor taking an advance note to a boarding-house or a crimp, or a lodging-house keeper, or

Mr. *Bates*—continued.

anything else you like to call him, and for his outfit getting an old rag out of a dust-hole, and a bar of soap and a tin pannakin; do you believe that was all he got for his advance note?—I cannot say; I hardly believe it.

5392. Do you think there was ever such a thing known as taking an old tarpaulin out of a dusthole, and giving it to a seaman for an advance note?—I never heard of such a thing; if there had been such a thing, it would have been talked about in the east of London.

5393. As a rule, do you think that when the sailors receive the advance note, they pay off their debts to the boarding-house keeper, and get some kit, and a few shillings to spare?—A few shillings.

5394. And they make a very improper use of it sometimes?—They are not the only people who do so. I have tailors and shoemakers who never think of going to work on a Monday, or on a Tuesday, if they have had an extremely good week. Sailors are not different from other people.

5395. You have placed a book before the Committee, and you say that the man who signs articles to go in a ship, has it entered in this book?—Yes.

5396. You say that by the Swedish law he is compelled to present this book before he can ship?—Yes.

5397. Therefore if he has absconded, the fact is recorded in the book?—Yes.

5398. You think that would be a good system for England?—I think so.

5399. I am inclined to agree with you in that; I think it would be a very good plan, because by that means you detect a man at once?—You detect him if he is shipping under a false discharge, or has a false advance note. If a seaman had a book like that, the man to whom he applied to cash his advance note would know whether the description in the book corresponded with the appearance of the man. We have three offices in London, and a man can ship at all three offices and not be detected.

5400. Then the Committee are to understand you to say that you are of opinion it is utterly impossible to do away with the advance note?—Utterly impossible.

5401. You say that a ship could not get a crew without the advance note?—Yes; I know that captains have offered seamen 5 *s.* extra per month in the port of London if they would do without an advance note, but they have had to give them the advance note afterwards.

5402. Therefore if the advance note was done away with you think that shipowners would be put to a serious loss, and sailors would suffer severely from not being able to get an outfit?—Yes, I should say that at the present time no captain would be able to get a crew of 14 men in London without an advance note.

5403. And you are also clear upon the point that if a sailor owes money to his boarding-house keeper he would not get his kit unless he pays his debt?—Certainly not, unless he went with him on board the ship where the boarding-house keeper could receive the amount of money that was due to him.

Mr. *Burt.*

5404. I think you said it has not been a common thing, in your experience, for seamen to be put

Mr. *Bates*—continued.

put on board drunk?—I have seen such a thing, but it is of very rare occurrence.

5405. You think that there is a great improvement in the habits of seamen now as compared with some years ago?—They are quite different men: I now take their orders for frock coats, and black vests, and cutaway coats, and high hats; you do not see seamen in short jackets now. When I was in Chatham as a lad we used to make short jackets for them, but we do not now, and we do not see sailors drunk about the streets as we used to do.

5406. Then, I think, we may take it that your opinion is that all men worth having, either go on board voluntarily, after signing articles, or can be induced to go on board by mild persuasion?—If I were the captain of a ship, I would not care about taking a man on board if he did not feel inclined to go on board without force.

5407. I think you said the men could always be induced to go on board by persuasion?—I took 200 seamen down to Plymouth for the Peruvian ships which were being built, and kept them there 10 or 12 days, and did not lose more than two the whole time.

5408. Would Clause 4 of this Bill at all interfere with the exercise of persuasive means in inducing seamen to go on board?—Sometimes it would; as, for instance, if you have to take seamen to out-ports where they cannot get other men.

5409. It is only in the very exceptional case which you instanced, in answer to the honourable Member for Chatham, that you think such power would be at all necessary;—I have never seen it put in force myself, and I have been nearly 30 years in the line.

Mr. *Wilson*.

5410. These books seem to be really a sort of history of the seaman's proceedings on board all the ships that he has been in?—Yes.

5411. When they join the British Mercantile Marine what do they do with these books?—I got that one from a Swedish seaman, who left his own ship and joined an English ship. The wages are better here than in the Swedish ships, and therefore they leave, and join English ships.

5412. Do these Swedish seamen, who join English ships, settle down almost as Englishmen?—I do not know of any case in which, after a foreigner has joined an English ship, he has returned to one of his own ships again.

5413. Am I right in supposing that they become Englishmen?—They sail in English ships.

5414. Are you aware that there is a regular importation of Scandinavian seamen?—I do not think that is really the fact.

5415. Do not you know that the Norwegian steamers which come into London bring over large numbers of these men?—I think that is a wrong statement; I do not think they do it; I have never heard of it.

5416. You do not know that as many as 80 seamen come over in one steamer?—No, unless it is to join a Swedish ship.

5417. Your business is that of an outfitter?—Yes, and contractor, &c.

5418. Have you any runners?—No; I have one agent.

5419. Is he a runner?—No; I should not call him a runner; I should call him my *bonâ fide* servant.

Mr. *Wilson*—continued.

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5420. Are you aware that in the port of Hull what are called tailors' runners are the people who are supposed to do all the injury to seamen?—I read the evidence of the gentleman from Hull, but I could not agree with him at all.

5421. He said that there are about half-a-dozen Jew outfitters in Hull?—I am of the Jewish persuasion myself.

5422. And that these are the men who, when a seamen arrives with money in his pocket, employ runners to take possession of him and bring him to their place of business, where they generally make such use of him as they can until all his money is spent?—I have never been to Hull.

5423. You think Hull is a peculiar place?—It is very seldom a seaman comes on shore with money. It is generally three or four days before he receives his wages.

5424. When the outfitters have done with him, what becomes of him?—I suppose the outfitter serves him with as much as he possibly can.

5425. Do the outfitters generally deal with the seamen when they arrive from foreign voyages?—Generally.

5426. Then are they handed over to the boarding-house keepers?—The outfitter would not hand him over to the boarding-house keeper.

5427. Do you mean to tell me that you do not know, as a fact, that Jew outfitters employ a certain number of men, you may call them agents or what you like, to look after the seamen?—Oh, yes; there are certain cases where men have agents in their employ the same as in any other trade to go down and solicit custom.

5428. Are you aware that the word "crimp" has been very freely used in this room?—I have read the account of it.

5429. Are you aware that some of us have endeavoured to arrive at what the meaning of the word "crimp" is?—As I said just now, I think a crimp is a man who would take a seaman to a place that was not fit for a human being to be in, and prevent his going away to the ship.

5430. Are you aware that, as far as I can personally make it out, tailors' runners are what are described as crimps?—There are bad and good in all trades, and no doubt there are some tailors that you cannot class as respectable.

5431. There are bad men in your trade who employ others to pander to the evil passions of the seamen, as far as drink and other things are concerned?—I do not know of any outfitters who ply him with drink.

5432. You think these runners do not take the drink on board the ships?—Not to my knowledge.

5433. You see no objection to these runners going on board a ship when it arrives?—No.

5434. Why?—Because if he is a *bonâ fide* servant of an employer he should go on board the ship to solicit orders.

5435. How can you and other outfitters afford to employ these men unless you make very large profits out of the seamen, especially when, as you have told us, large sums of money are lost on these advance notes?—The one trade is entirely different from the other. Outfitters do not deal with sailors only. They deal with other people as well as sailors. The docks in London are different from the docks in Liverpool.

5436. I thought you had come here to represent a trade connected with seamen?—No.

Mr. *Harris.*

9 April 1878.

Mr. *Wilson*—continued.

5437. May I ask then what you come for?—To speak in respect to the advance notes, with regard to the shipping of seamen for foreign parts, as I have shipped a number of seamen myself.

5438. Am I wrong in supposing that the great evil arises from these tailors' runners, who go on board ships and commence by giving the men drink, and who keep a hold of the men until all their money is spent. I am wrong in that?—You are wrong. There might be cases of that description, but I do not think they are so bad as you state.

5439. I am not entirely wrong then?—I dare-say there are such cases, but I do not believe any such men can get on board a ship under the new Act. The Board of Trade has officers who prevent any person from going on board a ship, and they give the seamen tickets to take them home, and a few shillings to put in their pockets. I think that is a great benefit to the seamen, although it is detrimental to the tradespeople in the east of London.

5440. Then why should the Board of Trade take all these precautions unless there is a class of men that it is wished to guard the seaman against?—There are good and bad in all trades.

5441. You have told us that you know of but very few cases of men being unable to join their ships in consequence of drunkenness?—I say there is a class of men who will sometimes prevent a seaman joining his ship, and if he goes on board will take him on shore again and treat him, and then perhaps ship him in another ship.

5442. I understood you to say that sailors are improving very much, and that there are comparatively very few who now join their ships drunk?—Very few indeed. It is an extraordinary thing to see a man join his ship drunk at the present time.

5443. I suppose you are aware that that is contrary to the evidence that has already been given?—I have read the evidence with regard to seamen being debauched, and all that kind of thing; but I think it very seldom takes place now. There are exceptions.

5444. You heard the last witness asked whether the shipowners were not responsible for the bad state of British seamen, because they did not take more interest in their men?—Yes.

Mr. *Wilson*—continued.

5445. Do not you think it is much more the case that the Government are responsible for licensing houses where the men get drunk?—Boarding-houses, as a rule, do not sell drink. Do you mean public-houses?

5446. I said "licensed houses" where they can get drink, call them what you like; is not that where the evil arises?—No.

5447. Where do they get drunk?—I do not say that the seamen get drunk.

5448. Then seamen do not get drunk?—I do not say that some of them do not, but, taking them generally, they are no worse than other people. I employ tailors and shoemakers whom it is impossible to get to work on a Monday or Tuesday.

5449. Then all this legislation must be almost totally unnecessary?—I think at the present time the seamen are quite capable of taking care of themselves.

5450. I suppose you come in contact with a great many seamen?—Some hundreds.

5451. Do you know any cases in which they have asked for this legislation?—Since this inquiry has been going on I have spoken to dozens, and they all think that it would be a great hardship if the advance note was done away with, but the power of arrest has never been mentioned.

Mr. *Plimsoll.*

5452. You say the sailors are utterly indifferent as to the proposed amelioration of the law?—So far as I have ascertained from them.

5453. Perhaps you will go a little further and say that they rather like to be sent to gaol?—Perhaps those that I have spoken to have not been sent to gaol, but I have known some that I think would rather go to gaol than go into the fo'castle of some of the brigs that go to the West Indies.

5454. Is not that rather a heavy reflection on the vessels?—I think so.

5455. Do you see any reason in the nature of the case why a seaman should be more liable to imprisonment for breach of contract than a tailor?—No, unless he has received an advance note.

5456. But other men are not sent to gaol for receiving an advance of money; it is a question for the county court?—Yes.

Friday, 12th April 1878.

MEMBERS PRESENT:

Sir Charles Adderley.	Sir George Elliot.
Mr. Ashley.	Mr. Gourley.
Mr. Bates.	Mr. Hamond.
Mr. Bentinck.	Mr. Macdonald.
Mr. Burt.	Mr. O'Shaughnessy.
Mr. Corry.	Mr. Torr.
Mr. Dalrymple.	Mr. Charles Wilson.

THE RIGHT HONOURABLE SIR CHARLES B. ADDERLEY, K.C.M.G., IN THE CHAIR.

Mr. EDWARD BANNISTER, called in; and Examined.

Mr. *Bannister.*

12 April 1878.

Mr. *Bates.*

5457. I BELIEVE you are a Magistrate of Great Grimsby?—I am.

5458. And have been twice mayor of that town?—Yes.

5459. You have an immense number of fishing boats, have you not, at Grimsby?—A very large number.

5460. Containing a large number of men and boys?—Yes.

5461. How many fishing or trawling smacks are there there?—There are about 600 smacks belonging to the port.

5462. How many men and how many boys are employed in them?—1,680 men and 1,800 boys.

5463. Are these boys apprentices?—Yes; they are apprentices, and were formerly supplied from the unions, but not recently, owing to the outcry about ill-usage.

5464. Are they bound in any shape or way?—They are bound by indenture.

5465. By regular apprenticeship deeds?—With the consent of the boy after he has been one voyage; as a rule we do not bind them without that, but we let them go a voyage and then bind them.

5466. In fact it is invariably done so, as I understand?—There are some instances in which the boys come direct and go on board; but as a rule they try a voyage first.

5467. Have they any pay, or how do they get remunerated?—The boys are fed, and clothed, and lodged by the owner, and have so much money allowed for pocket money, and also a portion of what is called the stockerbait. Those not lodging with the owners are paid from 9 *s.* to 16 *s.* per week to maintain themselves, and when at sea are fed by the owners.

5468. You do not, perhaps, know the amount of pocket money they receive?—The two younger boys will frequently have 17 *s.* or 18 *s.* to divide between them on a trip of eight or ten days.

5469. And you say the owners fit them out?—The owners fit them out and give them an excellent outfit of clothing.

5470. Have you any idea what an outfit of these boys cost?—Since November, I find that, of two boys, one has had 14 *l.* and the other 15 *l.* 10 *s.* spent on them as regular outfit. It would not last the boy the year, but he would have to supplement it.

Mr. *Bates*—continued.

5471. We have heard that the apprentice boys are very harshly treated; as a magistrate, have you had anything to do with these cases at Grimsby?—There have been during four or five years one or two cases in which the second hand, or perhaps the mate, has been accused of hitting the boys on board, or using the rope's-end to them, and whenever that has been investigated and proved we have punished or fined the man for it; but in the majority of the cases the charges are found to be untruthful, and they have not substantiated them; there has been no amount of hardship proved to have been used except in one or two instances, in which there was very great provocation.

5472. Now, can you give us the particulars of the charges against the apprentices for absenting themselves from duty, that is, running away just when the smack is ready to go to sea, in any one year?—Yes, I have it for 1877; there were 261 committals against these boys for running away just when the ship was ready to leave the basin; there were more cases brought against them, but 200 were discharged by the good nature of the owners or the captains saying that they did not wish to press the charge; that occurs twice a week; half the cases that are brought up are forgiven, because they do not want the boys to go to gaol, but to sea.

5473. How many were convicted of these 261?—Altogether there were 461 cases, and 261 were committed and 200 discharged; I must tell you that out of those 261 cases 50 were cases which had been before the magistrate before two or three times; so that that swells the number beyond what is actually the case.

Mr. *Ashley.*

5474. Do you mean during the course of that year?—During the course of that year.

Mr. *Bates.*

5475. What is the sentence when you send them to Lincoln to prison?—It varies from 14 days

Mr. *Bannister*.

12 April 1878.

Mr. *Bates*—continued.

days to a month; the average in the case of those boys committed in Grimsby was 22 days.

5476. These fisher lads are very fond of going to Lincoln College, as they call it, are they not?—Yes, they treat it as a little episode. They do not object to going to Lincoln once or twice; they call it going to college; they are not hardly used; they are, in fact, gently used there.

5477. They call it going to Lincoln College, you say?—They call it going to college, and sometimes they will turn round when leaving the dock, and say, "Could not you make it a month?" they do that out of sauce; we do not always hear it wit is not always wisdom to hear it; but they ask us sometimes if we could not make it a month instead of 21 days; they do not care about it.

5478. Have they any particular time that they like to go to Lincoln?—Perhaps they prefer it in winter rather than in summer; they do not like being shut up in summer.

5479. In winter they like it because they can get released from their duties on board the smacks?—Yes; and they do not give them any hard labour in Lincoln.

5480. What class are the men and masters generally of these smacks?—Many of them have risen from the same ranks as these boys. If they steady and industrious they are sure to make money and get on; indeed more than half the smackowners have risen from the ranks.

5481. Now, how long have you been resident in Grimsby?—Twenty-seven years.

5482. From your knowledge of these boys in Grimsby do you consider that they are badly treated?—No, certainly not; they are well fed, well clothed, and very fairly treated, especially where they live with the masters or owners. Many of them too are very good lads.

5483. What time is a fishing smack generally in port?—She will be in port three, or four, or five days, and out at sea ten, eleven, or twelve days, according to the weather.

5484. And what becomes of these boys at the time she is in port; where are they?—They are spending their pocket money, and attending to the ship; during the day, they get their outfit, and the ice, and the stores, and then at night they are attending the music-halls and other places.

5485. As a rule I suppose the smacks remain in port on Sunday?—It is just as they come in; if they come in on a Friday or a Thursday, they do not go out before Monday; but they must come in when they have got the fish.

5486. Do you ever see these boys on shore?—Yes; when they are ashore they are a fine set of lads, and they are well cleaned and well dressed, and strut about the town with their cigars.

5487. Now, I think, if I remember rightly, you once took upon yourself at your own expense to find accommodation for these boys in the shape of a club-room, did you not?—Yes, during the time I was mayor, I got up, with the help of a few friends, a club-room, which afterwards I had to support at my own expense, that they might go into at nights to avoid the public-houses. I tried it for six years, but these boys were rather unruly, and behaved badly to the men who came. It was open to men as well as to boys, and the boys took full possession of the place. As long as it was supervised by gentlemen everything went well; but when the gentlemen could not afford the time night after night to go there, Sunday night included, the lads got unruly, and got master of the place, and I was obliged to abandon it after six years, trial; they were too unruly for it to answer, unless it had been more expensively carried out. We have a kindred institution in the shape of a Fisher Boys' Home, where we teach them navigation, and where we hope some day to have dormitories for them. In that way we hope to control the evil a little more; but as regards the "free and easy," it was a failure; when I use the term "free and easy," we only let them go in to play at dominoes, and smoke, and play bagatelle.

Mr. *Bates*—continued.

5488. It was an evening place of resort?—Yes.

5489. You found them amusement in order to keep them from going to public-houses and other places not desirable for lads to go into?—Precisely.

5490. Now there are some statistics which I have in a pamphlet you have handed to me; who are these drawn by; they are signed by a Mr. Lundie; who is Mr. Lundie?—The master of the Grammar School in Grimsby; he has drawn them up, I believe, having access to the police returns, and was kindly furnished by the Hull stipendiary with particulars; I have submitted them to employers in both places, and they say that they are very correct, and contain a correct return of the amount earned by these boys in both places. I shall be happy to put that pamphlet in (*handing some copies to the Members of the Committee*).

5491. Now as to these sailor boys, these fisher lads, what power has the master over them?—As the skipper he has full power, but I may tell you that they all live in the same cabin and all feed together, and there is not, perhaps, that amount of discipline in these vessels that is found in vessels of a higher class; the deck boy is one degree removed from the cook, and the second hand is one degree removed from him, but they are all hail-fellow-well-met.

5492. Supposing that a smack is going out of the dock and that two or three of these boys are absent, and the master of the smack sees them on the quay, can he force them on board?—Yes, or call a policeman to put them on board; but many of them in going down from the pontoon to the lock will slip away; and in going down from their lodgings they will very often do that; perhaps one boy on board is evilly disposed and he leads the others off; the master has no alternative then but to bring them before the bench.

5493. Supposing that power of putting them on board when you see them at the pier head was done away with, could they get these boys on board at all?—The better boys would go on board voluntarily, but not the others.

5494. Could you get them on board if you had not the power of putting them on board by force from the quay?—Many of them would not go on board voluntarily; you must have the power to fetch them from their lodgings, or to take them on board when necessary.

5495. You must have the power by Act of Parliament?—The policeman or the captain must have the power; and if the captain keeps his eye upon them, they go on board. Very often it is bad association which leads to their absenting themselves; they are not bad lads as a rule, but you know what sailor lads are, and they think they will have another day on shore; and that is the sort of conduct.

5496. You

Mr. *Charles Wilson.*

5496. You said something about "as a rule," not binding the boys till they have been one voyage?—When the boys come before any of us to be bound, we ask them, "Have you been a voyage?" and, as a rule, they have been out to sea, and with their companions who have been voyages; they hear from the other boys who are on board the smacks; these lads send word to the union, and that induces the others to apply; as a rule, they do go a voyage before they are bound.

5497. Does that apply to workhouse boys only?—The other boys, living on the spot, know all about it; I am often called upon to sign these indentures, but I never, in any case, sign an indenture if a boy has not been a voyage at sea.

5498. Has your attention been called to the fact, that of the committals of fisher-boys of the United Kingdom 90 per cent. were from Hull and Grimsby?—Very possibly, because it is the lion's share of the fishing trade.

5499. There are no statistics in the little book before us, handed in by you, of the loss of life on board the smacks?—It is very trifling indeed.

5500. Are not these boys in winter gales very liable to be washed overboard?—No. I have known a boy knocked overboard by the swinging of the boom.

5501. I mean, are the boys afraid of going to sea?—Not the slightest; the fishing smacks are the finest sea-boats on the coast; nothing can beat them.

5502. But there is a very heavy loss of life, I think, is there not?—No, I never heard of it; they will often come in with the gear swept away, but certainly the loss of life is not great.

5503. Did you read a letter in the paper the other day, from a woman, to say that she could not find any means of communicating with her boy, who had been sent to sea on board one of these smacks?—I did not see it, nor was my attention called to it; and I know that if she sent a letter to the police, or the owner of the smack, it must find the boy; but in many instances, if they run away, they go and apprentice themselves at Scarborough, or elsewhere, and until they are found there is no means of reaching them.

5504. The letter was a complaint that she had no means of communicating with her boy, who wanted to leave a smack and was not allowed; now I see at the end of this report of yours there is a postscript: "Very many of the Hull apprentices are liberated, on application, by their masters, before their term of imprisonment is completed; this is much more rarely the case in Grimsby, as the boys from it are sent to prison in Lincoln, while Hull has its own gaol;" does that at all tend to bear out the feeling there is, that when the smacks arrive in the port these boys are sent to gaol on some trivial excuse and kept there till the smacks go to sea again?—No, it arises from this, that in Hull the stipendiary gives double the amount of time in punishment that the magistrates do in Grimsby; our average is 22 days, and his is 42 days. He says, "I give them that term, and if you choose to send for them in the interim you can do so."

5505. The impression in Hull is that the stipendiary is very lenient, and always leans towards the seamen?—So he does; and he said at a tea meeting the other day, that so far as ordinary offences were concerned, the proportion of fisher-lads brought before him was smaller than that of other juvenile offenders.

Mr. *Charles Wilson*—continued.

5506. You would still understand this were deliberated to mean that the skipper goes to the gaol to get them to go to sea?—The first time the boy is sent 14 days; if he has been convicted before, the magistrate adds another week; the captain says "that boy is a good boy; he had a taste of Lincoln gaol; send for him home," and at the end of 14 days he sends for him. But many of those from Grimsby, not being so long away as the boys from Hull who are sent to prison, they are not sent for so often.

5507. Do you know of any cases of mothers and parents of these fisher-boys endeavouring to get the boys away from their employment, and being unable to do so?—Yes, I know two cases where, during the course of several years, parents had neglected their children; they came down and found them, and then their parents wanted to fetch them away when they found the boys sufficiently old to earn them some money.

5508. You are aware that there is a feeling that the boys are not well treated?—It is not correct; it is the fact, that it is to the interest of the masters and owners to treat these boys well; they are too valuable to be ill-treated.

5509. Have the smack-owners of Grimsby asked the Home Secretary for an inquiry?—Yes, and they have had the officers down from the various unions, who have expressed themselves satisfied with the treatment the boys received, and they have continued to send the boys again.

5510. You said you had an institution in Grimsby; you are aware that in Hull there is a home for fisher boys?—Yes. Mr. Stratton, a very philanthropic gentleman, is labouring very hard, and gives his personal attention to it there.

5511. And that home is self-supporting?—Not altogether.

5512. Mr. Stratton found the money in the first case, but now it is self-supporting?—I am not aware that it is self-supporting; I should be very glad to hear that it is so, but I think not.

5513. I was in company very lately with Mr. Stratton, and he told me that it was so; you are not aware of the fact?—So far as the current expenses go.

5514. And that it is producing very satisfactory results?—No doubt it will.

5515. I suppose ultimately these boys become captains?—Yes, and shareholders frequently.

5516. Do they wear a velvet vest, the same as they do in Hull?—Yes, they swagger about very well dressed indeed; there is a list in that pamphlet before you of what two boys have had since November.

5517. Is it the customary thing there to wear a velvet vest as they do in Hull?—When they are in their best suit.

5518. Your object is to give evidence as to Clause 4, on the importance of being able to put these boys on board summarily?—I am merely here to say that, after many years' experience on the magisterial bench at Grimsby, I find that the boys are not badly treated; that they are well clothed and fed, and, as a rule, very fairly treated.

5519. Have you read this new Bill, which is intended to do away with the power of arrest without warrant?—I have not read it.

5520. The boys are kept on board the fishing smacks to the end of their apprenticeship, I suppose?—They go to lodgings on shore, and are made comfortable.

Mr. *Bannister.*

12 April 1878.

Mr. *Bannister.*

12 April 1878.

Mr. *Charles Wilson*—continued.

5521. They are not discharged from the vessel?—They are apprenticed for four or five years.

5522. Then they would hardly come under Clause 4 of this Bill?—I should think not.

Mr. *Torr.*

5523. Can you tell us where the larger proportion of these boys come from?—The larger portion formerly came *from* the unions, but now they have to depend upon picking them up from various sources.

5524. What unions?—Leicester, Nottingham, London; all the workhouses.

5525. You mean different unions?—Yes, different unions.

5526. And they are sent by these unions down to Grimsby?—Yes.

5527. When a boy is bound apprentice to sea he generally has a father, or somebody to bind *him*; do these unions bind them?—The majority of those boys have not fathers, at least we do not know who they are.

5528. They have no one to represent them?—The guardians, as a rule, are careful of them.

5529. Do the guardians, when they send them down, take any further notice of them after they are bound?—Yes, some report is made of them; and the officials come down and see them.

5530. Do the boys ever communicate with the guardians after they are bound, to say how they like the sea, and so on?—Yes, I believe they go home and see their friends. It is a common thing for boys to be brought up that have had money given them to go and see their friends, and that have stayed away longer than the time.

5531. If they were ill-treated they would let the guardians know?—Yes, they would have no difficulty in doing that; these boys come on shore and are at liberty for hours, and they can write and communicate easily.

5532. As a rule, do you find that these boys can read and write?—Yes, the boys from the union certainly; they are not proficient, but they can do that; there are some very fine lads among them.

5533. They can generally write sufficiently to communicate with their friends?—Yes, and if not there are scores of people round about them who would be glad to do it for them.

5534. The captains of these smacks are generally shareholders, are they not?—No; sometimes they go in with the builder into shares and work it out in that way.

5535. What proportion of these 600 smacks do you suppose is there where the captains are shareholders?—I could not tell you.

5536. Not as a general rule?—Many of the skippers have shares; but out of the 600 a great many have not.

5537. Have not the crew any share in the success of the fishing?—Yes; if you look at the little book you have there you will see that one class of smacks is worked entirely by shares; the boys get so much pocket-money.

5538. That sharing of the profits extends to the boys?—Yes, the stocker-bait money; the second class fish.

5539. I think you said in the early part of your evidence that it is almost certainly a profitable trade; that there is a certainty of profit in the fishing trade?—Undoubtedly. If you saw the extent to which Grimsby has increased, the houses built and owned by these people, and how the place has quadrupled its population in 20 years, and the most of that the result of fish, you would say it was very profitable.

Mr. *Torr*—continued.

5540. Is it a better position for a boy to be an apprentice on one of these smacks, than an apprentice on board an ordinary merchant vessel?—Yes; if he is a steady lad he is sure to get on in the trade.

5541. Have you ever known, in the case of a steady boy bound for five years in one of these smacks, in which all shared to a certain extent in the profit, what that boy accumulated in those five years?—I could not say that; but I have known them become part owner of a smack.

5542. In how long a time?—I should think in the course of seven or eight years.

5543. From first being bound when a boy?—In many cases in which they have shown ability they have been made captains before they were out of their apprenticeship.

5544. Their wages would be increased in proportion?—The owners find it to their interest to pay them; they give them pocket-money and many things; we think sometimes they are rather spoilt by it.

5545. What sort of wages do the captains of these smacks get?—The skipper receives one three-eighths of the receipts, the second hand one one-eighth, the third hand one one-eighth, and the owner four three-eighths, making eight shares.

5546. And from your knowledge of this fishing trade, which is now such a gigantic one in Grimsby, would you say that the men and boys are harder worked than they are on board an ordinary sailing ship?—No, they are much more frequently on shore. They take in three or four tons of ice, put it into the wells, run away and get the fish, and come back again, and then have four or five days on shore.

5547. One proportion of their time would they be on shore?—One-fourth or one-third in certain seasons, but one-fourth certain.

5548. One-fourth the year round, winter and summer?—Rather more than that. I could not speak exactly on that point. I know we usually ask them when a boy has run away, "How many days have you been on shore," and we find it is often three, four, or five days.

Mr. *Burt.*

5549. Have you read the 4th clause of this Bill?—No, I know nothing about it.

5550. Then you have not come here to give any evidence against the application of this clause to the sailors of Grimsby?—I am merely come here to tell you that the boys are well clothed, well fed, and not harshly treated. My experience in connection with the club-room, and my magisterial duties, warrant me in saying that.

5551. The honourable Member asked you if your attention had been directed to a Parliamentary Return, which shows that 90 per cent. of the boys committed to prison from smacks, and so on, belong to Hull and Grimsby; I think you said that you had not had your attention directed to that?—No; I know that out of the number of boys we employ, 10 per cent. have been committed for running away from the ship when she was ready to go out of the port; but as far as the 90 per cent. goes, I should really feel inclined to question the accuracy of it on the one hand; and on the other hand, if it be so, it must be because

Mr. *Burt*—continued.

because the lion's share is done from these two ports. They are the nearest ports to the Dogger Bank. And when I say that the railway company last year took over 50,000 tons of fish by rail from Grimsby to Manchester, Liverpool, London, and other places, you must see that the lion's share is done on that coast. Moreover, most of the smacks from Greenwich, Harwich, Yarmouth, and other ports, trade in and out of Grimsby; and in case of desertion the boys are brought before the local magistrates.

5552. Will Hull and Grimsby be equal to 90 per cent. of the total produce of the United Kingdom in that trade?—I could not tell you; Yarmouth must do a great deal of trade.

5553. You stated, as I understand, that there were 261 committals of these boys to prison in 1877; for what offence was that?—For neglecting to go on board the ship when she was ready to go to sea chiefly.

5554. And I understood you to say that the boys treated the imprisonment as a great joke?—Yes, they do not object to go once or twice; there is no hard labour. One boy came back and said, "I helped to put the potatos into the garden, and the next time I went, I helped to hoe them; and," he said, "I hope to gather them."

5555. They call it going to college, you say; do you think that this college has a very elevating and improving, and moralising effect on these boys?—No, I should prefer that they did not go there; but they are very well cared for there, and I do not know that the intercourse they have with one another renders them worse than they would be at home; they get into very bad company at home, sometimes. I do not know that going to Lincoln gets them into bad company; they are certainly very kindly treated at Lincoln, rather too much so: they do not care for it.

5556. Many of the masters you said had been boys, and had risen from the ranks?—Yes.

5557. And I suppose we may take it for granted that they were educated in this Lincoln college?—Some of the smack-owners will tell you that some of their best captains can neither read nor write; I do not say that it is so in all cases, because, as a rule, an intelligent man gets on best; but there are many excellent fishermen captains of those vessels that cannot read or write.

5558. Does it, in your opinion, say a good deal for this Lincoln college, that it has done so much for the education of these people?—Those men that we speak of have not been there; it has not been so many years in operation as that; the fishing trade in Grimsby is comparatively new. As to these men that I speak of as being good captains, and knowing the fishing ground well, I do not say that they have been to Lincoln happily; 10 per cent. out of the number of boys employed is not such a very excessive amount when you consider how simple it is for a lad to run away when the ship is in the lock pit ready to go out; how simple it is for a lad to say, "I will have another day on shore." The stipendiary from Hull will tell you that these boys, as juvenile offenders, come before him much less than any other class of boys.

5559. You said that these boys when they were on shore were very well behaved?—Many of them behaved well; I did not say that they all did; they sometimes are a little rude.

Mr. *Burt*—continued.

5560. I think you did not qualify it at all. I should like to ask whether, seeing that all the mines, factories, and workshops can be conducted without the power of sending either young or old to prison by arrest without warrant, you think it is an absolute necessity in the case of Grimsby that there should be this power of arrest without warrant and imprisonment?—I do think it necessary that there should be power to put these boys on board when they run away without provocation.

5561. To put them on board by persuasive means, or by the policeman?—Persuasive means do not go far with a fisher lad; look at his companionship and the place he comes from; you cannot expect to have the same influence over these boys that you would have over a boy that had been well brought up at home.

Mr. *Macdonald.*

5562. You said that you had been twice mayor of Grimsby; you said that the boys looked upon Lincoln Gaol as a college, and so spoke of it; as an ex-mayor of Grimsby and as a magistrate, as I understand you are, do you consider this a college of virtue or of vice?—I should consider it a misfortune that these boys do not feel the imprisonment more than they do.

5563. I asked you the question a little more pointedly whether you consider this a college of virtue or of vice?—It is of vice: the want of fear arises from the vicious habits of the boys; but I do not wish you to infer that the boys as a body are vicious boys; they are not worse than other boys; there is a little difference to be shown with regard to sailor boys in their general habits.

5564. As a magistrate of that district, do you not think it an unhappy thing, a sad thing, that such a state of feeling should be engendered, that 200 and odd boys, according to your own statement, come to look upon the prison as a college?—Yes, it is undoubtedly a misfortune that they do so; but when you are aware that they are not harshly treated there that is a consideration.

5565. I am not asking anything about the treatment; I will come to the treatment afterwards; does not the sending of a boy to prison break down the moral sense of that boy to an extent that is to be deplored?—If he previously had much sensibility on that head undoubtedly it would be so; but I am sorry to say that they are not very sensitive on that point when they come to us at Grimsby.

5566. Then you think that, sending them to prison is the way to improve their moral sense; is that your view of the matter?—I think that if they had a little more wholesome dread of the prison it would be better for all parties concerned.

5567. Is the prison the proper mode of training them?—Not the proper mode of training them; if it were a little more severe it would have a more wholesome effect.

5568. Do you come before this Committee to recommend the prison as the mode of training these boys, seeing that they are very bad?—No, I do not; but I come to say that if the prison discipline were a little more severe I believe the lads would not run away so often; and the means which we are endeavouring to develope to give them better lodgings at night and to give

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Mr. *Macdonald*—continued.

them places of resort, which we are now adopting, both in Hull and Grimsby, I do believe are the best things, and will eventually have a wholesome effect.

5569. Did you not tell us that you had to close the institution you established in consequence of its failure?—That particular one which is known as the free and easy, where they smoke and play dominoes and bagatelle; they became masters of it; they were so unruly that they became masters of it, and the men, who were at one time a kind of check upon them, refused to go because the lads were rude to them.

5570. You have used this phrase, "free and easy" repeatedly; I am anxious to know what it means; what I understand "free and easy" to mean is places in the cities of questionable resort; is that the sort of place you mean?—No, there was no drink allowed, except tea and coffee, and a place was provided for them gratuitously; but by free and easy I mean that they could go in and out when they liked without paying; they could play dominoes, or bagatelle, and have their coffee, and there was no restriction upon them; that is what I mean by the term I used. There was no strong drink allowed in the place; but they did not treat it as they ought to do, and they became masters of the place for want of gentlemen devoting their time more to supervise it.

5571. Now you told the Committee that they were exceedingly happy in their life; in fact, it seemed to me almost a pity to transport them to Paradise, from your account of it?—I said that the lads were well-fed and well-clothed, and very jolly; I do not think that I used the term "particularly happy."

5572. You say that their condition is very much better than that of boys following ordinary seafaring life; is that so?—The condition of their pay and their clothing is, but I do not think that their habits when on shore are so good as they should be, and, perhaps, not as good as those of boys who follow maritime service in the mercantile marine.

5573. Is not the coasting life the life of the fisherman, in itself a much more, if I may use the expression, dirty and slushy life than that of the ordinary seaman?—It is; but it is for a briefer period.

5574. Then this life of Paradise, which you refer to, or rather this happy state, is on shore rather than when they are at their work?—It is; they are, perhaps, more comfortable on shore than at sea, but I do not know that during ordinary weather it is so; your remarks would apply more to bad weather; but when the vessels are on the Dogger Bank fishing and the weather is ordinary weather, there is no particular discomfort that I am aware of. I have never heard of it, and I have been out occasionally, and seen for myself.

5575. Is not the life of the fisherman on the coast of England, generally speaking, a harder life than that of the seamen in long sea voyages, or in any other trade?—Yes, it is.

5576. Then, if that is the experience of the fisherman, must it not be the experience of the boys also?—I can only say that the majority of seamen would prefer a short voyage to a long voyage.

5577. I am asking you the question if it is not perfectly well known that the life of the fisherman is a harder life than the life of the seaman on long sea voyages?—I would not say it was in all cases; in bad weather it is undoubtedly a hard life, but taking the year round, and the fact of their being more in port, and having many more comforts than the other men have, I do not know that there is so much difference.

5578. Then these boys are not so very much more comfortable than the boys who go to sea?—They have more of the comforts of home; they come home oftener than the men making a long voyage.

5579. But you have told us that they have no home?—They come home and lodge with the owners or skippers, or have a place provided for them; if they found themselves it would be a bad thing for their morals; they are as far as possible kept under control, and, where they live with the owner or master, they are very good boys as a rule; we find that the influence of home upon them is good; many a time they get to be members almost of the family, and the woman of the house takes a fancy to these lads, and is kind and attentive to them; and it is only a small proportion that are sent to Lincoln when you take into account the class of boys they are and their habits of life.

5580. You consider it a small proportion?—I consider 10 per cent., considering the class of boys and the class of life they follow, is not a bad per-centage.

5581. What is the class of life; you told us it was a happy life?—I did not say happy; I said they were very jolly when they were on shore.

5582. And very miserable when they are away?—No, certainly not.

5583. Then why, if they were so jolly at their work, did they require to be sent to prison before they would go to sea; can you explain that?—Yes; I can very easily explain it. When boys have been on shore and got certain companions, they get a little boastful, which an English sailor is inclined to be sometimes, and will say, "I shall not go to sea to-morrow; or if the smack is ready before the time I expect she will be, I shall have a day extra; or if they want me to go on Saturday I will not go till Monday;" they know their value, and they give themselves a great many airs on the faith of it; they are really not badly treated, either at home or on shore, because they are too valuable.

5584. Do you act as a magistrate in Grimsby occasionally?—Twice a week.

5585. Are you an owner of these smacks?—No.

5586. Nor part owner?—No.

5587. You never had any connection with them?—Twenty years ago I had shares, which I was glad to get rid of.

Mr. *Ashley*.

5588. From this Return laid before the House of Commons I see that there has been a steady increase in the number of committals during the last three years at Grimsby; 205 in 1875; 221 in 1876; and, you have told us just now, 261 in 1877?—Yes; I can only account for that in this way, that not only is there a rapid increase in the number of vessels built in the place, but that from the facilities of the railway, and the easy access to the mouth of the Humber, more smacks have come.

5589. You

Mr. *Ashley*—continued.

5589. You will notice that it is a large increase last year; 221 in 1876 against 261 last year?—It is.

5590. I come to Scarborough, and I see that at Scarborough there were only two committals in 1875, and only one in 1876?—When they have fish they just run in with the boat and land them on the quay, and they are sent off by carts to the railway; they do not as a rule go into the port much, and therefore the boys have not a chance of going on shore; it is a tidal harbour at Scarborough, as you probably are aware, and therefore they do not care to go in with the fishing smacks.

5591. Now, take Yarmouth, which I know personally, and which is a harbour where boys come in; I see there are no committals in 1875, and only one in 1876?—Have you any statistics of the number of apprentices in that place, may I ask? My information is that there are only a very few apprentices at Yarmouth, and the boys are shipped for short service.

5592. No, but can you give any explanation of that small number of committals there?—No, I am not prepared with any knowledge of the number of boys there are there, or the system adopted. I know they have nothing like the number of apprentices that they have in Grimsby and Hull.

5593. Now what is the average age of these boys at Grimsby?—They come from the unions at something like 14, and, of course, they are bound about that age.

5594. I will put this in the form of a question, though it is in some respects a statement: are you not aware, with reference to these clubs, that all clubs fail where you have boys and grown-up men mixed together?—I have bought my experience, and that is my conviction that it is so.

5595. Then the failure you spoke of at Grimsby does not prove anything as to the unruly character of the boys there, because all over England workmen's clubs have failed where there is not a separation of boys and men?—Yes.

5596. In most workmen's clubs they have been obliged to make a rule that they will take nobody under the age of 21, have they not?—That is much safer.

5597. You say that the boys do not care about going to prison; is not that entirely inconsistent with your assertion that you could not do without that power of imprisonment, if the boys do not care about the effect of the imprisonment upon them?—This applies to the boys who are badly disposed. A great many of the boys who come up before the magistrate, and, perhaps, may have been led away by others, say that they are very sorry, and the masters forgive them. I told you there were 200 cases forgiven in one year.

5598. The unruly boys do not care for prison, according to you; and the well-ordered boys do not want imprisonment, do they?—No, they do not.

5599. To be quite accurate, is it not 11 per cent., and not 10 per cent. of the boys at Grimsby who were committed?—It is not actually 10 per cent. There was one boy, I remember, sent seven times.

5600. If you look at this Return, which you say is accurate, in your pamphlet, you will find, if you add up these numbers together, that it comes to exactly 202 boys who have been imprisoned, and there are 1,790 as the total number of boys employed, so that it is almost as exactly as possible 11 per cent?—Only I take a few more boys who are connected with the shore department; some of them are in the stores; they do not send them to sea; perhaps eight or ten boys might be in the stores.

Mr. *Ashley*—continued.

5601. When these boys are brought up before the magistrates are they sent to prison under the powers of the Merchant Shipping Act, or under the ordinary law of the land in reference to apprentices?—As apprentices, but under the Merchant Shipping Act, 1854.

5602. If that be so, I apprehend that this 4th clause of the Bill before us would not affect the power to deal with the apprentices at all, would it?—I do not know how it would affect it. I know if you have not the power to deal with some of the unruly boys, you will be in a great difficulty.

5603. Is there a power of imprisonment connected with the ordinary law of the land for apprentices failing to carry out their duty?—Certainly.

5604. If you proceed under the apprentice law, this 4th clause would not affect you in any way?—I should think not.

5605. I only want to ask you about what you say with reference to the general treatment of these boys; you say that in a majority of cases of complaint you found there was no cause to complain of harsh treatment, but in a certain number there was; will you tell me what punishment you inflict on the masters who are found guilty of cruel treatment?—In the few cases there have been it has been either the mate or the second hand, and not the masters; but we have fined them 2*l.* or 3*l.* a-piece, or sent them for so many days to Lincoln Gaol.

5606. Have you sent them to Lincoln?—I do not know whether the fines were paid, or whether they were sent to Lincoln.

5607. You have never given them imprisonment without the option of a fine?—Yes, in one instance we did, some two or three years ago; I can scarcely recall it. But I want to name to you, that in order that these boys may have no obstacle to getting a summons against any of the crew who abuse them, the town clerk, who is also the magistrate's clerk, grants them the summons without fee, in order that they shall have every opportunity of bringing up any case of hardship; and I can assure you that the men are very frightened if the boys do bring them up, and the boys throw it in their teeth, "We shall bring you before the magistrates," and they are a little saucy about it.

5608. You have had few of such cases before you?—I can remember five cases in which I had them, and three of them were not proved.

5609. You cannot recall any occasion on which you have had to send them to prison without a fine?—I think there was one instance in which we would not give him the chance of a fine.

5610. Now with regard to the cases where you say boys have been brought before you, and the 200 of them that were discharged because the case was not pressed, were those cases all cases in which it was not pressed, because the boy consented to go on board?—No, the master or the owner would say, "This lad has not been here before;" we make a rule of never sending them to Lincoln the first time; and then the magistrate would say, "Are you willing to go on board and

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and serve, and have you any cause of complaint?" It is just a stereotyped form of asking, "Have you any cause of complaint?" "No." "What made you leave the ship?" "I got into company, and I wanted another day on shore." "Are you willing to go on board and serve your master?" "Yes." And then the master takes him back. That is why so many cases go back again.

5611. You are unwilling to send them to gaol the first time, because you think it a disadvantage to these boys to have the taint upon them?—The masters and captains complain of the magistrates as being too lenient, and say, "You in Grimsby give those boys only 22 days, whilst in Hull the stipendiary gives them 42 days." Many of the masters do forgive a boy three or four times, and take him on board again.

5612. In this letter of Mr. Lundie's, which you have handed to us, I see in the last paragraph but one, "I have no connection with the trade, and no further interest in the subject than a wish to lend my humble efforts to a solution of the present crisis, and avert from the town," &c.; can you explain what he means by "the present crisis"?—Yes. There had been sensational letters from some of the unions, from Leicester and some of the inland places, as to the treatment of these boys, and the smack-owners invited the functionaries to come down, and see for themselves that it was not the case that the boys were ill-treated; and they did come down, and were fully satisfied that the boys were well-treated, and they continued to send them. Some notice was put up in one of the London unions, I think, that no more boys were to be sent to Grimsby. It was found afterwards that it was altogether a fallacious statement, and the boys were afterwards sent.

5613. Still, if you were a guardian of an inland town, it would startle you to find that 11 per cent. of the boys so employed were sent to gaol?—All the boys do not come from the unions.

5614. But if you were told that 11 per cent. of the boys in that occupation were sent to gaol, it would make you anxious, I think?—I do not know; it might.

5615. Did the guardians come down themselves?—They sent the clerks of the unions, and they were perfectly satisfied; they offered them to send any deputy they liked with the smacks into the fishing-ground. I know one clergyman who spent a week out in the fishing-ground, in order that he might see how they did their work, and what was the course adopted.

5616. Now, about this pocket money; is this pocket money given in the form of an advance of wages?—No; they get certain money for spending, and when this second-class fish is sold they divide the proceeds in certain shares.

5617. What is, then, this pocket money you talked of; is it given to them quite arbitrarily?—They have no claim to it. When asked, "Why did you not go to sea?" the boy sometimes says out, "Because he would not give me my pocket money"; and then we are obliged to tell him "You are not entitled to one penny, not even to the stockerbait." There is no mention of it in the indentures, and they are not entitled to the proportion of the fish; but it is a custom, and if they do not get it they will immediately leave the ship, and say, "I want a new pair of boots," or set up any plea as sufficient.

Mr. *Ashley*—continued.

5618. Is this 14 *l.* pocket money that you talked of deducted by the owner from the share, of the stockerbait, or is it given quite independently of the share he may be entitled to?—That 14 *l.* or 15 *l.* was for the outfit, not pocket money.

5619. Is the pocket money deducted?—No, it is given as pocket money.

5620. Then it is not in any way an advance?—No, not in any way whatever; it is a gratuity.

Sir *George Elliot.*

5621. What proportion of the boys employed in the fishery at Grimsby are apprentices from the workhouse?—I could not tell you that, but certainly the larger portion. I could obtain that information for you, I daresay; but I should suppose three-fourths of them have come from the unions.

5622. They are apprenticed for what time?—From three to five years.

5623. From what age up to what age?—They begin about 14, or some of them 13. A big boy will come when he is 13.

5624. Is there a graduated scale of wages, so as to entitle a boy to a larger share, or price, for his labour according to his years?—As an apprentice he is not entitled to wages, but he is fed and clothed, and gets pocket money.

5625. Do you mean that he is entitled to as much when he is 13 or 14 as he is when he is 19?—They would not give a boy that age as much pocket money as they would when he gets older, because he becomes more valuable to the master.

5626. I mean whether he is not entitled to more compensation for his labour at the age of 19 than 14?—No.

Mr. *Charles Wilson.*

5627. For the stockerbait they give the older boys more money than the younger ones, according to that book which you have shown us?—That is not pocket money. We are often obliged to explain this to the boys; they make it a plea for stopping from the ship, "I did not get my stockerbait money"; we tell them that they have no right to that money.

Sir *George Elliot.*

5628. Then the guardians of the workhouse enter into an engagement with some of the fishermen to employ a boy, and there is no provision that the boy shall be entitled to more compensation at 19 than at 14 years of age?—No; they are bound to keep him, but not to find him any pocket money.

5629. Is it really the case that a person of the age of 19, who is almost as good as a man at any other age, has to feel that he is bound to work without any compensation whatever?—But he does actually get compensation.

5630. I mean on the agreement?—On the indenture he has no claim for it.

5631. In the indenture he has no right?—The same applies to any other apprentice.

5632. I think you will find very often in indentures for apprenticeship that the boy gets so much for the first year, so much for the second, and so on; and during the latter portion of his apprenticeship he is nearly paid full wages, and that is the right that he has under his indentures?—And I have known them to be promoted to first hands and

Sir *George Elliot*—continued.

and captains before they were out of their time; and when they are not in-door apprentices they receive from 9 *s.* to 16 *s.* per week to maintain themselves, and are also fed by the owners when at sea.

5633. But he is not entitled to that?—He is not entitled to it; but it is the interest of the owners to do it.

5634. You say there are 10 or 11 per cent. of these boys imprisoned, what are their respective ages; are they boys from 14, say to 16 or 17; is there a larger proportion of those imprisoned, or from 16, or 17 to 19?—I should think the larger proportion is the younger period, but Major Mackay is here from Lincoln, and he will give you the statistics much more accurately than I can.

5635. I heard you state that you thought it was almost indispensable that there should be a power to oblige these boys to go to sea?—I think so.

5636. Supposing that such a power as this could be provided, that unless the boy deserted from the town where he was, so long as he lived in the place and was in connection with the service, if he was unwilling he might be forcibly put on board to do his work; but that that might be done without the authority to imprison him; supposing such a power as that could be secured under any Act, that he might be placed on board a vessel, but that there should be no right to imprison him, would that answer the purpose?—If the boy got to know that you had no power to send him to Lincoln, I do not think it would have any effect on him.

5637. But supposing a boy knew that you had a power to put him forcibly on board, would it then have any effect?—Yes, it would have a wholesome effect, I think.

5638. If a boy knew that if he did not go to sea willingly he would be sent there whether he would or not, by physical force and not sent to Lincoln; that he would be sent to do his work at sea, would not that answer every purpose?—But here is the difficulty; this boy knows what the tide is, and that the ship must sail at a given time with all her stores and ice on board, and he gets out of the way; the skipper has to ship another hand and pay him extra, in order to get the ship away and not miss her time, and the boy does not turn up till afterwards.

5639. But if you had the same power, or even a greater power, than sending him to gaol, the right to go and take the boy, to pursue and induce him, and finally, in case these measures fail, to say, "We will make you go to your work," would not that be a good substitute for sending him to gaol?—Moral suasion is tried to the uttermost.

5640. You say that going to Lincoln has no deterrent influence?—There are certain boys whom it does not deter, but there are others whom it does deter.

5641. We want to make the boy do his work, not to send him to a place he likes better than his work; and therefore we should say, "We will not send you to that place that you have no dread of; but if we cannot persuade you to go and do your work, then we will force you to do it;" would not that, in your opinion, have as good a result in getting the work done, knowing as the boy would, that if he did not go he would be obliged to go, as if you had the power to send him to Lincoln Gaol?—When the boy runs away, you have to find him, and then what are you going to do with him till the smack comes back?

Sir *George Elliot*—continued.

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5642. "Runs away," where from; from the town?—He gets anywhere out of the way.

5643. Suppose he went away from Grimsby to Hull, or any other place, that might be another thing; but whilst he is in the place if you had a law that he might be laid hold of, and obliged to go through his work, would there not be more advantage in such an arrangement as that than in having the boy brought up before the magistrate; would you not get it better attended to by such a power as that than by the power of sending a lad to gaol. That is a question I want you to think of before you give your answer?—I do not see my way to it, because when you get hold of the boy, as a rule, the skipper, or owner, or some of his mates can get him to go on board; but it is when he gets out of the way altogether that they cannot get him, and then the vessel has to sail without him, and then you must bring him up for punishment.

5644. And the punishment is, that you send him to some place which he prefers?—These are the boys who have no fear of Lincoln; but, on the other hand, there is a large proportion who have a wholesome fear of it.

5645. I should have thought, looking at it from a practical view, that all that could be asked would be (and it is an extreme measure too) that there should be a right to go and oblige that boy to do his work in a forcible manner in case he would not yield to reason?—It is very desirable; and if you give the power locally, it might do.

5646. Would you not succeed in getting more boys to sea by such a process than by having to go through the course of sending the boy before the magistrates and having him sent to goal, and degrading him by that process?—I would ask you what would you do in the interim if the ship has gone away, and it is 10 days before the ship comes back again?

5647. What do you do with him now; do you send him to gaol?—Rather than send him to Lincoln we would keep him at Grimsby till the next court day, and then again till the next court day, in the hope of the smack coming back.

Mr. *Charles Wilson.*

5648. Where do you keep him; in the lock-up?—Yes, in the cells.

Sir *George Elliot.*

5649. In the management of our collieries we used to have the same system, and many hundreds and thousands have been sent to gaol for not doing their work, and 30 years ago I have done that myself; and the law abolished that, and we are very much better off without that being exercised on boys before the age of 21, who are incapable of making an agreement; are you surprised at such a statement from me with an experience that extends to almost every county?—I see the force of it; but I do not think the same reasoning applies to fisher boys which would apply to pit boys.

5650. We thought it was impossible to carry on our collieries without such a power, and now we never have an instance of a boy being imprisoned, unless it is for something serious; might you not find the same?—I can assure you that it is a most difficult problem for the magistrates to solve, and they are much perplexed about it; if you gave them some power to detain the boys at Grimsby, they would be detained at the cost of the borough, and a special building would be required.

Mr. Tom Sumner Lemon, called in; and Examined.

Mr. *Lemon.*

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5651. Are you the President of the Amalgamated Society of British Seamen?—Yes.

5652. Is that a society in London?—Yes.

5653. Have you and your society considered this Bill which is before us?—Yes.

5654. Have you any remark to make about it?—We got possession of a copy of the Bill, through the kindness of Captain Pim, and I may tell you that the verdict of our Committee upon Clause 4 was, that it was of no use at all to the sailor, not the slightest; that the extension of this clause to the Merchant Shipping Act of the present day would give liberty and license to all those who did not care about going on board the ship that had no particular ties, no name, no character to keep up; they would conceal themselves behind it, and the law could not touch them.

5655. You think that the power of arrest without warrant and of imprisonment is necessary to get sailors to join their ships?—I do not think that you would get one ship in a hundred with a crew on board ready to go to sea at any time you appointed, not a foreign-going ship, without some power of this description, the power of arresting the seamen and compelling them.

5656. Do you mean to say that without a legal power of arrest, without warrant, and a power of imprisonment, it would be impossible to get crews to join their ships?—That is rather a terse question for me to answer; a power should be maintained.

5657. What power?—Power to arrest a seaman; I do not say for imprisonment; power to arrest him and compel him to go on board.

5658. Power to compel him by a legal process, and without a warrant; you can conceive no other power of forcing a man on board?—No.

5659. How are men of this description generally got on board?—Generally by the runners of the boarding masters, who have a claim upon them.

5660. They do not use the legal power of arrest without warrant?—No, they do not.

5661. Therefore they do get on without it?—By the power of persuasion; but if there was no power of arrest without warrant, the man would simply laugh at the boarding-house crimp and his agents and his runners.

5662. You say that the runners take the men by force and put them on board without exercising this power of arrest without warrant?—Yes.

5663. Why should they not be able to do so if that power did not exist?—Because the sailor would know very well that nothing stood behind the runner, and his brute force would be superior to the runners then.

5664. And you think it is the fear of imprisonment that leads him to join?—Undoubtedly.

5665. Do you know of a petition presented to the House of Commons by the society which you represent?—Yes.

5666. Is it signed by yourself?—Yes.

5667. Have you got it in your hand?—Yes.

5668. Will you look at the eighth paragraph of that petition, which runs thus: "That your petitioners consider it undesirable and unjust that a seaman who fails to comply with the articles of his agreement is punished criminally, while he is compelled to take costly and tedious civil remedies against an employer who fails on his part;" is not that in direct contradiction to your statement that he ought to be treated criminally?—No.

Chairman—continued.

5669. How can you reconcile your statement in that petition, that he ought not to be treated criminally, with the statement you have made in evidence that he must be treated criminally?—Paragraph 8 says: "That your petitioners consider it undesirable and unjust that a seaman, who fails to comply with the articles of his agreement, is punished criminally, while he is compelled to take costly and tedious civil remedies against an employer who fails on his part." Now the sailor is perfectly willing to give the shipowner that amount of authority by Act of Parliament which enables him to punish the sailors for a breach of contract; but where is the sailor's court of appeal? I myself wasted three or four weeks of my time trying to get justice for the seamen of the "Almora;" and there are hundreds of other cases that I could quote since 1872. There is no court that we can go to to obtain justice against those who are defaulting shipowners.

5670. What do you call a defaulting shipowner?—A man ships a crew on board a vessel, she clears out of the port, the ship is taken into Quay West; she is condemned and sold and bought in by the British consul; the men accept a note of hand from the owner, and when they come back to this country their note of hand is not worth the paper it is written upon, and yet, perhaps, it represents twelve months' hard earnings. Where are those men to look for justice? They know the owners are here in England, but they have shielded themselves, and the men have not the means to go to law with them.

5671. Then I understand your argument to be this, that because a seaman has to take civil remedies against an employer who fails on his part, therefore you do not wish him to be treated criminally when he fails on his part?—If a man ships on board of a vessel, and it is certificated that she is seaworthy, she may be in her bottom, but if a man has to lie in the forecastle in a leaky bunk and he complains about it, his only remedy is to make a complaint to a surveyor, if the majority of the crew feel disposed to run the risk of a survey on it.

5672. You state in your petition, that it is a hardship that a seaman should be treated criminally, because he has only got costly civil remedies against his captain, and the way to get rid of his hardship which you propose is to treat the sailor criminally; the very thing you complain of as a hardship?—This Clause 4 begins, "Until a seaman has joined his ship," and so on. This 8th paragraph in our petition was not intended to apply to that; it was merely to the treatment that he generally receives; it does not deal with what this Clause 4 deals with.

5673. If then the sailor had the mode of proceeding against the shipowner which you think he ought to have, you would, in that case, be contented with the abolition of criminal proceedings against the seaman?—No; if you cannot get men to join a ship without some stringent clause

Chairman—continued.

clause being put into the Merchant Shipping Act, empowering the owner to imprison or otherwise, you would never get the men on board the ship, not the majority of the men at present offering in the public market.

5674. You have just told me that you do habitually get them on board by runners and by gentle persuasion?—The gentle persuasion is generally, "If you do not I will give you in charge."

5675. Would not that be always applicable?—Not if this Clause 4 is made law.

5676. You think it would be impossible to get men on board, then?—There would be great difficulty in so doing.

5677. Will you tell me why seamen should be so much worse than other workmen that they must be compelled to go to their work by this power of arrest without warrant, while others are not?—I do not say that seamen are worse. For seven years I have asserted that they are as good, if not better; but I know that a sailor has different sentiments and different feelings from other men.

5678. So that you think that while all other workmen are got to their work without criminal proceedings, seamen are an exception, and cannot be got to their work without at least the threat of criminal proceedings over them?—I am of that opinion.

5679. What is the peculiarity of a seaman that he should be necessarily treated criminally, and no other workman?—In speaking of the seafaring class, I could not answer the questions as they are put. There wants a certain amount of varnishing about the question; it is put so tersely, but with an explanation and a qualification I could answer it; I confess myself unable to answer it otherwise.

5680. Giving yourself all the license you like, will you tell us the difference between a seaman and another workman which makes it necessary to treat him with criminal proceedings, and not to treat any other workman in the same way?—The seaman's associates in the forecastle in the present day are hard knocks, hard accommodation, herding with Greeks, Turks, Niggers, Dutchmen, Swedes, Russians, Finns, and every nationality under the sun. This and no attending comforts, but doing battle with the elements of nature itself, inhumanises him, and makes him a different animal altogether from the thinking animal that we see on shore. And it is this thing which inculcates into the sailor to do as little as he can for the scanty food which he receives. The officers try, on the other hand, to get as much out of the man as they can. The sailor has this inculcated into him from his childhood by the force of his training, and I may say that he has no friend in the shipowner, it is a prejudice, and that any one over him will come down upon him. They have an opinion that the owner's interest is diametrically opposed to theirs, inasmuch as the owner makes as much as he can possibly get out of Jack while he is with him, and Jack feels disposed to fight for terms and give as little as he can while he is on the ship. Now the sailor is refused liberty in many instances; he is worked at all hours; in plenty of our Mediterranean-going steamboats the men are worked all day, and they go from one port to the other at night, keeping watch; they have no time for liberty; there is then hard fare; the poor accommodation that they have to contend with, their lack of luxuries, the amount of ship's discipline, and the hard wear and tear that has generally been thrust upon the seaman during the course of his voyage; all this suddenly becomes relaxed, and he drops into the shore-going life again; all discipline is then relaxed, and it is only when his necessities compel him that he looks for a ship again.

Chairman—continued.

5681. Then you consider generally, as I gather from your answer, that the seaman, by his habits, and by his treatment by the shipmaster and owners, is so inhumanised, as you say, that he must be treated differently from all other workmen?—Undoubtedly, the majority of them.

5682. Do you think that criminal treatment is the way to humanise them?—I do not think that criminal treatment exactly is the way to humanise them, but I think that there should be some restrictive power given by the Act of Parliament to compel them to join independently of the persuasion that can be exercised by a crimp, or boarding master, or any sense of moral duty that a sailor has.

5683. Is there any other point in the Bill that you wish to make remarks upon?—In regard to Clause 6, the Discipline Clause, "In case of desertion to forfeit all or any part of the effects he leaves on board, and of the wages which he has then earned, and also, if the desertion takes place out of the United Kingdom, both to forfeit all or any part of the wages he earns in any other ship in which he is employed until his next return to the United Kingdom, and to satisfy any excess of wages paid to any substitute engaged in his place at a higher rate of wages than the rate stipulated to be paid to him," we simply say that that is of no use to the sailor at all; it only keeps things as they are now in the case of desertion, that he forfeits any part of the effects he leaves on board; he naturally does that. Then, "if the desertion takes place out of the United Kingdom, both to forfeit all, or any part of the wages he earns in any other ship in which he is employed until his next return to the United Kingdom;" he does that also.

5684. What is the alteration that you would propose?—We think that that clause should be left out altogether. If a man is dissatisfied with his ship, and gets an opportunity of benefiting his condition, there is no way or means by which he can get clear of her except by deserting, and we think it is hard that he should be pinned to the employment he is in.

5685. Then you think generally that we should legalise desertion?—No. Captains of ships can take good care, by making the wages higher, that the men do not desert them.

5686. If that clause is struck out of the Bill, you say that the existing law should not remain?—You can pursue the man right through, and you have power to put him on board by force; the same power exists in the country as here. If you can get hold of the man put him on board; but to follow him and attack him in that way is another thing.

5687. Did you not say that the clause that you are referring to is the same as the existing law, and what you propose, I understand, is to repeal the existing law?—Yes.

5688. You would repeal those clauses of the Act of 1854 which impose a penalty on desertion; is that so?—Yes; I think myself that if

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Chairman—continued.

you can get hold of the man to put him on board a ship by force, the power should be given to do so; but if the man evades you altogether, the man's liabilities should cease with the ship.

5689. So that a man is to enter into a contract to serve in a particular ship, and the contract is not to be binding on him if he finds any advantage in throwing it over?—There are ways and means of making a man quit a ship when you can get a man at a cheaper rate of wages.

5690. Is there any other remark that you wish to make upon the Bill?—Sub-section 2 of the same discipline clause, we think, ought to stand, "In a proceeding against a seaman or apprentice for the offence of desertion, or of absence without leave and without sufficient reason, he may, if he thinks fit, be sworn and examined as an ordinary witness in the case." If this clause is allowed to stand, then we say that the other two should be allowed to stand also.

5691. That sub-section is merely to give him power to tender evidence, and if you abolish the cause, of course you abolish the evidence?—If it is qualified with this sub-section, then the clause is of no harm to the sailor.

5692. Now, what is your next point?—The next one is in Clause 11, Sub-section 2; it says here, "Refuses or omits to do any lawful act proper and requisite to be done by him"; we suggest to leave out the word "lawful," and let it read, "to do any act," and so on.

5693. What would be the effect of that?—To do everything that is proper; the question is not whether it is lawful or not.

5694. Then you think there are a great many unlawful things that are proper?—If we stick to Acts of Parliament in times of danger, that will only get us into difficulty. Then, in Clause 15, it says, "A seaman or apprentice to the sea service, who, when on duty on the look-out, is drunk or asleep, or otherwise neglects to keep the look-out, shall be liable, on summary conviction, to be imprisoned for any period not exceeding two months, with or without hard labour, and, at the discretion of the court, either in addition to, or in substitution for, such imprisonment, to forfeit out of his wages a sum not exceeding one month's pay." We would insist upon the clause if watch and watch is given, but not else. Nature must have a certain amount of sleep, and you cannot blame a man for sleeping if he has been pumping a leaky ship 16 hours out of the 24, and he has his meals in the interval, and then is placed on the look-out. If Nature does have her way, it is hard that he should be punished.

5695. And you think that an English court of law would inflict a penalty on a man for not doing what it was impossible for him to do?—The last ship I was in, in the West Indies, the sailors never had any watch; they were treated like dogs; they were divided into watches, it is true, but in the daytime they were up all day at work, and they slept four hours alternately at night when they got an opportunity.

5696. What is the next point that you wish to refer to?—Clause 21. "Every master shall during the voyage enter every matter in respect of which a deduction from wages is made, with the amount of each deduction as and when made, in a book kept for that purpose;" we propose to be inserted, "in a form sanctioned by the Board of Trade"; leaving out the words "if required,"

Chairman—continued.

and then reading "and shall produce that book at the time of the payment of wages, and also upon the hearing before any competent authority of any complaint or question relating to any such deduction or to the payment of wages."

5697. What are the new words that you propose?—"In a form sanctioned by the Board of Trade," and instead of the words "if required," read "shall produce that book," and so on; it will read this way then, "each deduction as and when made, in a book kept for that purpose, in a form sanctioned by the Board of Trade, and shall produce that book at the time of the payment of wages."

5698. What is the next point you wish to remark upon?—The next is Clause 22, Sub-section 4. It says here: "If the seaman at the time of his discharge before the superintendent agrees, by an agreement made in the form prescribed by the Board of Trade, and signed by him in the presence of the superintendent, to accept a portion of his wages, and to have the residue deposited with the superintendent, then, on the residue being deposited in accordance with the agreement, the wages shall be deemed to have been paid at the date of the agreement." We think there should be this proviso: "Provided that the seaman has not been injured on board the ship, and is not in a hospital and unfit to sign a release."

5699. What is the next suggestion that you have to make?—We are of opinion that Section 24 is of no use. "Where a master of a ship has, in consequence of an offence committed by a member of his crew, made an entry in the official logbook as to the offence, or as to the conduct, character, or qualifications of the offender, he may, if in his judgment the subsequent conduct of the offender during the voyage is such as to condone the offence, cancel the entry." We contend that an entry once made in the official logbook should stand.

5700. Even though they are perfectly willing to make it up?—It does not matter; if a man commits an offence let the record go forward.

5701. Now will you go to the next point?—The others are very trivial. The principal point is giving the same privileges to the sailor of proceeding criminally against an owner on his behalf for non-fulfilment of his articles of agreement, as he takes against the seamen.

Mr. *Bentinck*.

5702. I understood you to say, in answer to the Chairman, that you considered that the power of arrest without warrant was indispensable for manning the ships?—I do so consider it.

5703. And that the two points referred to in the petition, which is signed by you in the 8th section, where you proclaim that the condition of the seamen at present is unjust, has no reference whatever to the question of Clause 4?—None whatever; it never entered into the calculation.

5704. What your society want, if I understand it, is that they should have a more easy mode of recovering wages in certain cases?—And finding redress.

5705. But that has no reference to Clause 4, and you state that you think that power of arrest is indispensable?—Yes.

5706. Now, referring to a question put to you by the Chairman, in your opinion is it not the

case

Mr. *Bentinck*—continued.

case that the habits of seamen and the life that they lead, and the whole course of what I may term their existence, are such as nobody who is not conversant with their habits and ways can understand it properly, or what legislation is necessary for them?—That is a fact.

5707. They are quite apart from other labourers on shore?—They are a different animal altogether.

5708. You cannot deal with them by the same laws; those who have not been conversant with their habits cannot understand how to deal with them?—No, they cannot.

Mr. *Bates.*

5709. You are the President of the London Seamen's Mutual Protection Society?—I am.

5710. Do you come here to speak in their name?—I come to speak in their name, and to represent them.

5711. Are you authorised by them to do so?—Yes.

5712. How many men have you in your society?—Close on 4,000 men.

5713. Then you are speaking now for 4,000 men?—Yes, reiterating their sentiments.

5714. And these 4,000 men say that this 4th clause is not at all necessary?—They say that this 4th clause is not necessary.

5715. Do they mean by that that they are perfectly satisfied with the law as it stands?—With regard to putting men on board a vessel.

5716. They want no alteration there?—No alteration there.

5717. And they think this attempt at legislation uncalled for and unnecessary?—They think it unjust to the shipowner; it makes no difference to them at all.

Chairman.

5718. Do you mean that the 4,000 sailors that you represent, feel that they themselves could not be got on board without the power of arrest; do they feel that the threat of imprisonment is necessary to get them on board their ships?—They feel that it does not affect them.

5719. Therefore it is not necessary in their case?—Not in their case; they have too much trouble to get a ship to neglect joining when she is ready to go to sea. In 1856, 1857, 1858, these are a lot of advance-notes that were repudiated by men not joining their ships (*producing a bundle of notes*).

Mr. *Bates.*

5720. You, in the name of this society, distinctly state to the Committee that you consider that the law as it is is all that is needed; I mean with regard to getting men on board the ship?—Yes, I do not see that you could better it.

5721. Now have you ever been to sea?—About 22 years.

5722. Then you can speak as a practical man; do not you think that, as the law now is, getting a sailor, who may be a very good man, on board his ship by a little persuasion, or, if necessary, by force, if he has signed articles, is a benevolent act towards that man if he happens to be a little stupified by drink?—Undoubtedly.

5723. You would think that his wife and family would suffer if you did not do that?—Yes.

Mr. *Bates*—continued.

Mr. *Lemon.*

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5724. These sailors have generally their clothes on board, have they not?—Most men take them with them now-a-days; but we often find cases where men have to follow their ship to Gravesend.

5725. Have they their clothes on board?—Many a time they have.

5726. And if they did not join they would lose those clothes in addition?—Yes.

5727. And therefore it would be a great hardship to the men themselves if a captain or owner had not the power to compel these men to join?—Yes.

5728. Now, you said that in case of a ship sailing before the time agreed upon in the articles, the owner should be treated criminally?—Yes.

5729. What do you mean by that; supposing a ship sailed before the time, as a matter of course the sailors left behind would all be entitled to compensation in their wages, &c.?—I may say this, that we contend that it is nothing but right and justice that we should have the same means of compelling an owner to stand by his agreement as he has of compelling us.

5730. I quite agree with you, but I ask you this: is it not the law at present that if the ship does go away before her time, and leaves part of her crew in this country, or in another country, the owner is compelled to pay those men?—I have never found it done; I have seen many cases where they have been wilfully left behind, but never seen a sailor get redress.

5731. You do not mean to say that you would send a policeman to take the owner to prison?—I would say that if he fails to feed and provide for the men, the owner should be put in prison the same as the sailors. What is the use of taking a penny out of the pocket of a man who has got a 1,000*l.*

5732. Here is your petition, and I think you have made a slight mistake here; you say that "the Mercantile Marine would be left almost in the hands of the foreigners, as we regret to say their number has reached to nearly one-half of the whole number of merchant seamen;" do you know that, by the official return, it is only 11 per cent. that are foreigners?—I know that out of about 120 vessels I have sailed in under the English flag, I have only had three men out of the dozen who were English subjects.

5733. I ask about the official returns; is it not 11 per cent. according to them?—On the other hand, I can prove that it is the other way, namely, 11 per cent. that are British subjects.

5734. I am asking you as to facts detailed by the Board of Trade?—I cannot help the Board of Trade's facts, or statistical returns.

5735. You dispute that?—I do dispute it.

5736. It is some time since you have been at sea?—Nearly 15 months now.

5737. As master of a ship?—As mate.

Chairman.

5738. What trade are you speaking of when you give that per-centage?—All the southern-going ships.

Mr. *Bates.*

5739. What was the name of the last vessel you were in?—The "Thomas C. Seed," of Fleetwood.

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Mr. *Bates*—continued.

5740. How many in the crew?—Six men before the mast.

5741. How many on board, all told?—Ten.

5742. And out of those 10 there were only three Englishmen, you say?—There was myself, the skipper, and the boatswain, or the second mate; the rest were Russians, Finns, and Swedes.

5743. Then you dispute the statement made by the Board of Trade?—Undoubtedly. I think it is wrong; there must be some mistake. I do not say that the Board of Trade are wrong; but you may take 40 Dutchmen, who are essentially Germans, and if you ask them, "Where do you come from?" they say, "Heligoland." I know more men who hail from Heligoland than there are inhabitants on the island; they could not stand there even if they stood shoulder to shoulder.

Mr. *Hamond.*

5744. When you say you speak on behalf of these 4,000 men, and that they do not wish for Clause 4 to be put in the Bill, you say it is not for them that you require the power of arrest; but I presume it is for their protection to compel other men to go on board, and go on board readily?—Certainly.

5745. It is to compel men to go on board who are not so good as themselves?—Their argument that they use is this: that if this clause is abused it is a question of mistaken philanthrophy towards us; we have difficulties enough in procuring a ship, and we take care not to lose her.

5746. Therefore you want the clause erased for your protection?—Not for our protection, but we put it in this way; that this is a clause unjust to the shipowner; we know that it does not militate against our interests, but we know that if he has not got this clause to work on he will never get his ship manned.

5747. In your petition you propose that no ship should have more than one-fifth of her crew foreigners; if you have all the difficulty that you have in procuring a ship's crew, how do you propose to man a vessel with only one-fifth foreigners?—I do not think at the present moment you could; but if you want to legislate, you must probe to the cause of the grievances, and apply a healing remedy amongst the men. It is no use going to the Chambers of Commerce. Why not come to the men themselves and ask the men, "What is the cause of your falling off"? why is it the bricklayer's men never run off, but the sailors slip out? No sooner can you put a boy into a training ship and make him an efficient A.B., than he is off the very next time, and you find him trundling a wine merchant's truck round the city. It wants a serious change; it wants the same means of compelling the owner to keep to his agreement as he has of compelling the seaman.

5748. Without your going beyond the scope of this Bill, your panacea for all these evils is the restoration of the apprentice system, as I understand?—To restore the prestige of the service.

5749. And then you would limit the number of foreigners to one-fifth of the crew?—If you had got a sufficient quantity without them.

Mr. *Ashley.*

5750. You say that for the protection of the really good seamen who have gone on board,

Mr. *Ashley*—continued.

you must have this power of seizing the bad seamen and taking them on board?—No; if I have said that I want to correct it. I do not see that it is any benefit to the sailors at all; it is for the shipowners' benefit that you should strike out that clause. You ask my opinion of the clause and I give it.

5751. Do I understand that you come here to urge the case of the shipowners?—No; but you ask me my opinion of the clause.

5752. We want to know how, in your opinion, the seamen will be benefited by the retention of this power of arrest without warrant?—They will not be benefited at all: the owners will and the mates and masters will, inasmuch as they will have less trouble in getting their crew together.

5753. Does it not strike you that the shipowner and the master, if he had not this power of arresting without warrant, would be more careful of the quality of the crew he engaged?—As a rule now they go to a shipping office called the Mercantile Marine Office. and there is a party now who hires the crew, and he takes the crew; there is the shipping master, who is a middle man, who is the go-between, the Government officer who does all this engaging; there is no love between them; they do not know the ship; the man goes into the labour market to find what he can.

5754. Now you do not approve of that system of engaging the first man who comes in that sort of way?—No, certainly not.

5755. Do you think that any change in that system will come about, as long as the master or shipowner knows that he has got this power of getting the men on board whenever he chooses?—It must come bye-and-bye that they will seek each other. The better class of ships have a board stuck up for days before to invite sailors.

5756. You consider that there ought to be a considerable change in the treatment of sailors, and in the mode of their engagement?—Yes, undoubtedly.

5757. If the shipowner were deprived of the power which he has now, of laying hold of the men and taking them on board by force, is it not much more likely that some steps would be taken to make these changes than if it is allowed to go on as now?—Many unprincipled shipowners will engage five or six more hands than they want, and if afterwards they cannot get the quantity they will make it up by extra hands, and the others will be thrown adrift.

5758. In that case, do you propose to give no remedy to the seamen against the shipowner, who, having engaged them, says he will do without them?—We are asking for that; our petition provides for it.

5759. Would not that be any check on the shipowner engaging more men than he wants to take?—Undoubtedly.

5760. A shipowner can be prevented, you say, by giving the seamen a right to redress; now, I bring you back to the question; is it not likely that a change will take place in the accommodation, the treatment, and the mode of hiring the seamen, if the shipowner knows that he cannot take men forcibly and put them on board?—No, I think not.

5761. What happens now to a man, supposing he is engaged in a shipping office, and then he finds out afterwards that the accommodation on board

Mr. *Ashley*—continued.

board the ship is not to his liking, or that the firm which he is engaged with has a reputation he does not like; how does he now get off his engagement?—He cannot get off it.

5762. And you think that is right?—I do not think that is right.

5763. At present he engages at a shipping office; I say, supposing a man engaged at a shipping office, and afterwards goes to his ship and finds that the accommodation is bad, the food insufficient, or for some reason or other he does not like the firm he is going to sail under, at present he cannot get off an engagement, because he is taken forcibly and put on board ship; do you think that a right state of things to continue?—No; but I may go and sign for 40 ships, and I keep another good man that wants a situation out of a berth simply because I have a little more impudence than he has, and then 1 *s.* or 2 *s.* more must be paid for drawing a man into a situation that I have refused.

5764. Then, I understand that the only way you can get off an engagement now is by committing an act of dishonesty, and putting a substitute less fit than you are into your place?—My going and joining any vessel when I do not intend to stay, is defrauding another man of his chance of employment.

5765. Then, supposing that it could be proved that you went without a view of joining and signed the articles, it would be right that you should be punished as for a fraud; but that is a very different thing from what we are discussing at the present moment; what we are discussing at the present moment is this: is it right that a seaman who has signed articles at the Marine Office, and for some reason best known to himself, perhaps a good reason, is unwilling afterwards to join the ship, should be compelled criminally by the force of the law to go on board that ship, and you say you think he ought to be?—Yes.

5766. Even though he discovered afterwards matters that he had not known at the time?—It might be qualified by provisions; but I contend that unless this power does stand the service will soon be put an end to, and you will never man the vessels.

5767. Is it not perhaps that you have got so purely a practical view of the question that you cannot conceive any system existing except what you have been brought up in?—I know what commodity is offering itself in the shipping offices at the present moment, and I know very well the difficulties that surround getting a crew on board now, and if you take away the power of arresting them, you will find you will never get them at all.

5768. They must go on board or starve?—A man signs in London and then goes away to Cardiff; the parties that you are going to cater for are not British subjects; I do not believe there are 20,000 British subjects in the mercantile marine.

5769. The man who goes away to Cardiff is the man you cannot get hold of?—No, but as soon as ever he has got a note he owes the boarding master the pocket money, and directly he goes away the policeman is on him; but take away that power from him, and you would find him at one port to day and at another to-morrow.

5770. Then you agree with me that if the system of advance notes was done away with that would at once strike at the root of the evil?—That is right.

Mr. *Ashley*—continued.

5771. Then you think that as long as the system of advance notes exists we cannot do without arrest without warrant?—Undoubtedly not.

5772. But if the advance notes were abolished there would be no necessity then of arrest without warrant?—You would take away the temptation; the fox will not jump at the grapes that are not there.

5773. With regard to that cancelling and entry in the log-book, you know the object of the cause is this: there might be an ill-feeling springing up between the member of the crew who is entered in the log-book, and the captain; and that the seaman should have the opportunity of regaining his position by good conduct afterwards?—It should not be at the mere caprice of the captain to make or unmake a man.

5774. He has the power now to make the entry in the log-book; it is that which damages the man's character, is it not?—No.

5775. The Bill only gives the power to the master to undo what he may have put into the log-book damaging to the man's character, but it does not give him any power to unmake a man; do not you follow that?—I can follow it, but I do not agree.

Mr. *Bates.*

5776. Suppose a man on board ship has been disobedient, or being a little cheeky to the captain or his chief mate, he is logged in the official log; supposing that man for the remainder of the voyage conducted himself well, and the captain has no further fault to find with him, do you think it would be wrong to allow that captain to take that entry out of the book and say nothing about the first fault?—Yes; it is playing fast and loose with a man's character, and there is too much of that done already. In the ships that I have been with, the skipper will come at the end of the voyage and ask, "What is So-and-so?" "A tidy man." "What is So-and-so?" "A saucy lazy humbug"; and it is the mate who makes the men. Let a higher tribunal, I say, than the captain judge a man; let them be the adjudicatures upon a man's character; let him be in possession of a document that no skipper can touch or hurt.

Chairman.

5777. You would never let the master forgive the men?—It is not in his power.

5778. You would not let it be in his power to forgive the men?—No.

Mr. *Charles Wilson.*

5779. You say you are the representative of an association to protect seamen?—Yes.

5780. To protect them against whom?—Partly against themselves, against nefarious shipowners, against crimps, against the many thousands of charlatans.

5781. Have you arrived at any result in the protecting of seamen against crimps?—Yes, there is one here; instead of going to fight the enemy, we have come and made terms with them, and have got the boarding-masters to come to our way of thinking; they are willing to put their boarding-houses under the supervision of a

Mr. *Lemon.*

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Mr. *Lemon.*

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Mr. *Charles Wilson*—continued.

Government official, who shall look after them and certify them as being respectable and suitable lodgings for seamen. The next thing is, that we have taught a great many of our members to protect themselves by combining, and they tell one another of good situations, and they try to work men into ships where the food is good, and the treatment all that can be desired. We have made ourselves heard on many occasions, and I attended a deputation to Sir Charles Adderley at the Board of Trade offices, asking for voluntary certificates of examination; but the scheme has not worked well at present, because there are so many hundreds of men out of employment; there is no particular benefit to be made by it, any more than it is a certificate of examination. From time to time we have brought these petitions under the notice of the House of Commons, and we find that there has been a general improvement throughout the country of the mercantile marine officers; whether that has been through our agitation or not we lay the flattering unction to our souls that it has in a measure.

5782. Have you a council?—Yes.

5783. Have you prepared this petition?—This petition is culled from others from time to time. Here is a copy of the one the year before last (*producing it*).

5784. You know what crimps are?—I am sorry to say I do.

5785. I am right in describing them as runners employed by some of the outfitters?—The Sailors' Home and every other authority employs them.

5786. Who are the men you particularly refer to?—All those who interfere with the legitimate occupation of the seaman, who cater to his vices for the purpose of cheating him, Jew outfitters, boarding-house keepers, crimps, and others.

5787. Which are the worst?—They are much of a muchness, all tarred with one brush.

5788. You said you could enter in 40 ships and not sail in them with advance notes; do you mean that you could do it in 40 different names?—You would simply ship in one in London, go to Gravesend, ship in another one there, and all over the country.

5789. Do these sailors always ship under the same name?—No; not always under the same name.

5790. Is it a general practice to ship under one name in one voyage, and another another?—It is quite a common occurrence.

5791. That makes it difficult to get hold of these men to commence a civil action against them?—Yes.

5792. Have you any objection to Clause 4, because good men join the ship and want to go in, and they are interfered with by the bad men not going on board, and perhaps the ship sails short-handed, and more work is thrown upon them; is that the reason?—It is partly the reason, but not quite all.

5793. I say it is one of the reasons that it throws more work upon the men who do join the ship?—Yes.

5794. You think it is only fair to them that they should be put on board and made to carry out their engagement?—Yes.

5795. And you do not find any feeling on the part of seamen for this alteration of the law?—No.

5796. Do you know who asks for it?—I do not know who the request emanated from.

Mr. *Charles Wilson*—continued.

5797. Your petition makes a sweeping charge against shipowners, that the food is bad and the berthing bad, and that there are a great many unprincipled shipowners; and you said that there had been hundred of cases since 1872 of men not being able to get their wages?—Hundreds of cases of unprincipled shipowners.

5798. Since 1872, you said; it was rather a figure of speech, was it not?—No.

5799. Am I to understand that within your own knowledge since 1872 there were hundreds of cases of unprincipled shipowners, which meant men who did not pay their seamen the wages they ought to receive?—Or sent them to sea without the articles they agreed to give them. You may give a man a biscuit, but the question is, is it fit for human consumption.

5800. Could not that be remedied by the simple process of the sailor complaining to the Board of Trade through their shipping officer, and they at once would see whether there is any foundation for that charge?—I am afraid not.

5801. You do not think that would do it?—I do not think it would.

5802. Would it be done by the men inspecting the accommodation before they leave the port?—No.

5803. The ships might look very well and be neatly painted, and be leaky when they got to sea?—Yes.

5804. Those are the difficulties that the sailors have to contend with?—Yes.

5805. But are there really very many cases where the sailors are not able to get their wages?—There are not many cases; but the whole of the shipowners together would not justify a single case of injustice.

5806. An owner may be ruined, and have no money to pay with?—That is possible.

5807. So that it is hard for him and for the sailor perhaps; owners do not always make money?—I am well aware of that.

5808. And the end of your evidence is that you are against this alteration proposed by Clause 4. I did not understand whether you are in favour of advance notes being done away with?—Undoubtedly I am.

5809. Supposing a man is shipwrecked, or is ill and has not a halfpenny in his pocket, and he goes to a boarding-house keeper, and he lets him get into his debt until he can get a ship; is that an accommodation to the seaman or not?—I cannot see that it is much advantage, it is the means of disadvantage to him. If he is allowed an allotment note for two-thirds of his pay at the time of his joining it is an equal security to the shipowner. The seaman can leave word behind how much he owes, and leave the money until he has liquidated his legitimate debts.

5810. That would be an advance note in a different form?—An advance note in a different form; instead of being an advance note it would be no advance; a man who leaves two-thirds behind, can leave one-third for the owner.

Chairman.

5811. What should you think of an allotment note to the seaman's own account in a savings bank?—A sailor would fail to see any advantage in it.

5812. Why not?—If a man has a legitimate debt, and he wishes to liquidate it, he leaves an allotment

Chairman—continued.

allotment payable at the rate of two-thirds of his entire earnings.

5813. And supposing, when that debt was cancelled, he was allowed a further allotment note from month to month, paying the half of his wages to his own account in a savings bank, what objection would there be to that?—I never heard it asked before. I do no not think any one in his senses would ask for it.

5814. Do you think it a very senseless operation for a man to wish his wages to be put in a savings bank?—I recall that; I did not mean to say that; perhaps you misunderstood me.

5815. I ask whether it would not be a good plan, after his debts are liquidated, to let further allotments go, to the extent of half his wages, into a savings bank to his account, which he could draw out on his return to the United Kingdom; supposing up to the amount of half his wages his allotment note was so drawn as to pay his wages to his own account in a savings bank, so that when he arrived at the end of his voyage, instead of having the accumulated payment of 50 *l.* or 60 *l.* or 100 *l.*, or whatever it may be, the same evening, he should find half his amount secure in the savings banks?—I think it would be a great boon.

5816. It would also bear interest, would it not, so that his wages would be increased; have your society never thought about that?—We have thought about it, but we only ask for a plain remedy. That is carrying it further than we anticipated.

5817. Perhaps you will take that idea as a handsome present from me, and give it to your society?—Yes, I will.

Mr. *O'Shaughnessy.*

5818. Take the case of a ship ill-provisioned; do you not think it is rather a hardship for a sailor to be compellable, by the criminal law, to go on board such a ship?—From your point of looking at it, it is hard.

5819. From your point of view as representing sailors, is it not still more hard?—It is hard in that sense, but how are you going to remedy it?

5820. Am I to understand you to say that a sailor would be willing to submit to his criminal responsibility, provided there be a criminal responsibility placed on the owner too?—That is it.

Mr. *Bates.*

5821. In case of an allotment note being given to a sailor for half his wages whilst he is at sea, how would it answer, supposing he deserted at the first port he came to, and the owner did not receive advice of that desertion for some time afterwards?—The owner would certainly have to run a certain amount of risk there.

5822. If it could be done, I think it would be very good, but it would compel the man to remain on board that ship until he came back, under all circumstances?—Yes.

5823. Therefore, in that case it would be very good, would it not?—I think myself that a man should have a reasonable amount of capital as opportunity was afforded for it. I think an allotment note for two-thirds of a man's pay would be a greater security to the shipowner, certainly a greater *sine qua non* to the sailor than the present mode of advance notes. Two-thirds of that is drawn on to liquidate his just debts, or to support a wife and family.

Mr. *Bates*—continued.

5824. You mean that that allotment note of two-thirds should be for 30 days; a month after sailing?—Yes.

5825. Consequently the shipowner would be at no risk?—No risk for the first instalment; and for the second, or third, or fourth, as the case might be, the man would actually have earned the money.

5826. And you think that the tradesmen would take that in preference to the advance note?—It would not suit the Jew, the crimp, or the party we are fighting against so well as an advance note.

5827. But it would suit the shipowner better?—It would suit the shipowner better, and certainly the sailor.

Mr. *Gourley.*

5828. Would not the sailor resort to the same people to discount those allotment notes in the same way as now with the advance notes?—Yes; it all depends how they arrange their affairs afterwards; but it would place more remote that opportunity for indulgence on the weak side of human nature.

5829. Are there many sailors out of London who are married men?—There are many who are, but they do not represent a large proportion to those out of London who are not. Many married men are confined to the weekly boats on account of the pay.

Mr. *Hamond.*

5830. You mentioned the allotment note; are they not the same as a monthly note?—Yes; a monthly note is for half the pay.

5831. Does the owner ever lose anything by giving a sailor's wife, while he is away on a voyage, any money, by his leaving a monthly note for half his wages?—Yes, he loses the interest of the money that a sailor earns.

5832. The earnings are still going on of the sailor?—Yes.

5833. But he does not lose anything of the capital; supposing a monthly note is given for 3 *l.*, that is paid every month: the owner does not lose anything by it?—Only the interest on the money.

Mr. *Bentinck.*

5834. Referring to the sixth paragraph in the petition signed by yourself, you say that you "view with alarm the continually increasing number of foreigners and Lascars employed in the mercantile marine," and you pray that the numbers may be reduced to one-fifth in British ships. I understand you to call in question the statements on that subject which have been published by the Board of Trade. May I ask on what ground you impugn those statements, and state positively that the number of foreigners in the British mercantile marine is in excess of the number of British seamen employed?—Whenever I have got a spare day I invariably go down to the shipping offices and talk to the sailors, and advise them not only to join the society but to look after their own interests in various ways; and I may speak to five or six before I find anyone who can speak my mother tongue without

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Mr. *Bentinck*—continued.

some foreign twang, and a strong continental one too. On the ships I have been in the majority of the men have been foreigners; and the majority of the men offering for employment are foreigners; and how the Board of Trade returns can give the figures they do I cannot understand.

Mr. *Wilson.*

5835. In paragraph 10 you say something against captains; is that all that you say against the captains?—No.

5836. If you have more to say, it would be a very good opportunity for its being made public?—It does not do to stir up too much.

Major EDWARD MACKAY, called in; and Examined.

Major *Mackay.*

Chairman.

5837. WILL you be so good as to tell the Committee what office you hold?—I am Governor of the Lindsey Prison, Lincoln.

5838. Is that a county prison?—Partly county; it is to be the county prison.

5839. Will you tell us what remarks you have to make, particularly on this subject?—I can give you statistics for five years with reference to these boys, and the different headings under which they have been committed.

5840. The boys employed in the shipping service you mean?—Yes, and from 11 to 21 years of age, from 1873 up to the end of last month. In 1873 of absenting sea apprentices I had 136 committed; refusing to go to sea the same year, 28; desertion, 6; damaging ship's stores, 1. Their ages were as follows:—One 12 years; there were three who were 13 years; three who were 14 years; 25 who were 15 years; 28 who were 16 years; 28 who were 17 years; 35 who were 18 years; 11 who were 19 years; 16 who were 20 years; and 21 who were over 20 years, making a total in that year of 171.

5841. The ages varying, you may say, from 11 to 21?—Yes.

5842. Are these all Grimsby boys?—Yes; all committed from the borough of Grimsby. Now in 1874 for absenting 178 were committed; for refusing to go to sea only 2; desertion, 6; one for damaging the stores of the ship, making a total of 187; and the ages run from 12 to 21. In 1875 there were 199 committed for absconding; refusing to go to sea, 9; desertions, 6; none for damaging the stores, making a total of 214; the average age is from 13 years in that year to 21. In 1876 there were committed for absenting, 224; refusing to go to sea, 2; desertion, 9; and one for damaging the stores of the ship, making a total of 236 committed; their average ages run from 12 to over 21. In 1877 there were 246 committed for absenting; none for refusing to go to sea; 8 for desertion, and 4 for damaging the ship's stores, making a total of 258; the ages ran from 13 to over 21. That makes a total in the five years of 1,066, or an annual average of 213.

5843. I observe in the first part, under the head of "absenting," which is much the larger head, they have been steadily increasing from 1873 to 1877?—Yes; and the increase is still more marked for the last six months. For the last six months I have had 202 committed for absenting; none for refusing to go to sea; 23 for desertion; 4 for damaging ships' store, making a total of 229. That is a very great increase.

5844. Would you describe a little more definitely the distinction between these kinds of offences, between absenting and refusing?—There is very little distinction, because absenting means refusing almost; but this is the form in which these persons are committed for actually refusing to go on board when required.

Chairman—continued.

5845. Then absenting would mean simply neglecting to join at the proper time?—Yes.

5846. Refusing would mean refusing after application?—Yes.

5847. And desertion going away after joining?—Yes.

Mr. *Charles Wilson.*

5848. You have not the months of the year in that return?—No; but there is a great increase during the winter time; the severe weather. Now yesterday I had only 14 in my custody.

Chairman.

5849. Of all these cases, namely, 1,066, can you tell us what proportion were sent to prison?—They have not all been sent to prison.

5850. Are there a great many other cases besides; both of absenting, refusing, and desertion, which have not been sent to prison?—They do not come before me; these actually have come to prison.

5851. You cannot tell us the number of cases that come before the magistrates?—No.

5852. But only the actual cases that come into custody?—Yes.

5853. Are you not of opinion that this process does not seem to be very effective, as under this mode of treatment the cases increase instead of diminishing?—Yes; I do not think the boys care much for coming to the prison, particularly when the weather is very severe; they are comfortably housed, and the place is well ventilated and well heated, and the food is not, perhaps, so good as they get outside, but it is good.

5854. Do you not think from your experience as governor of the prison, that it generally has a bad effect upon a boy's mind to get into prison?—I do; and I think they ought not to be sent under a certain age.

5855. Can you conceive anything more detrimental to a boy than to break down in his early years his self-respect?—No.

5856. So that nothing but the most perfect necessity will justify sending boys to prison?—I quite agree.

5857. Any system, therefore, which would enable us to get these boys on board, without sending them to prison, would be an act, not only of charity, but of justice?—Yes.

5858. Can you tell us at all what is your opinion as to the possibility of getting these boys on board without sending them to prison?—I think that if there were any person at the port who took an interest in them, any person of the description of the last witness, if there were some arrangement made in that way, it would be likely to

Chairman—continued.

to work beneficially; I do not know of anything else.

5859. At all events imprisonment, while it does enormous damage to their character, and very likely makes them criminals and demoralised, seems to have no effect whatever in deterring them from the offence?—Very little indeed, because a great number of these boys come back again.

5860. It is useless as a deterrent, and it is most injurious upon their character?—It is.

5861. We have heard from the first witness today, and perhaps you have heard it too, that not only do these boys lose all fear of imprisonment, but that the process of imprisonment has so broken down and demoralised their character, that Mr. Bannister found it practically impossible to treat them with better institutions, such as clubs and places of that sort, to go to; he found them so demoralised that he failed altogether in a better kind of treatment?—Then he failed to put some person in charge of that club; he wanted some person to take charge of these boys.

5862. To send them to prison is certainly to break up their steady habits?—I do not think that any boy should be sent to prison under 16, at any rate.

5863. As to arrest without warrant, do you suppose that that is a power necessary in the hands of the magistrates in these cases?—I am not prepared to say; I do not know the law on that subject; but I do know that they are justified.

5864. Besides the information that you have given us, do you wish to express any opinion as to the provisions of this Bill?—I have never seen the Bill.

5865. Can you inform us whether it often is the case that the boys who come into your prison show marks of ill-treatment?—I never knew of one; they look healthy and are well clothed.

5866. Do you know whether they chiefly come from the union workhouses?—I know that a great number do, and some very intelligent boys, too, particularly from London; there are also a great number from Greenwich.

5867. And boys probably without any homes?—Yes, a great many.

5868. On the whole they appear to be well treated?—Yes; I know complaints have been made to the chaplain, but they have never been authenticated in any way; for I have questioned our boys on many occasions myself, and they have never made a complaint against the master. On one or two occasions they did say that the skipper knocked them about, but they have never shown any marks.

5869. Do you know whether they are chiefly apprenticed?—I believe they are all apprenticed, but I have had one boy only 11 years old. Now my opinion is that no boy should be apprenticed under 14.

5870. Why do you say that?—Some of them are so very small, and they have to bear a great deal of hardship in the North Sea in cold weather. I am told they frequently look out for ships in distress, and they have harder work than fishing.

5871. You think that they go too early to sea?—Yes. You know there are a great number of the boys that come from the low places in Greenwich and London, and even at 14 they are very small; they are not like country boys brought up on the moor. Although I can only show one of 11 years of age committed to me, there are four 12 years of age; 18, 13 years of age, and 52 of 14 years of age, for the five years I have spoken of. Now, a lad 11 years is not fit to go on board one of these smacks; he might go on board a large ship where he would be in the cuddy all day and well cared for.

Chairman—continued.

5872. Can you tell us whether there are many cases of grown-up men coming to your prison for refusing to join their ships?—Very few indeed. I had two not above six months ago, and they refused because the ship was not seaworthy; but the ship was proved to be seaworthy after by the Board of Trade.

5873. They pleaded the unseaworthiness of the ship?—Yes.

5874. But it was given against them?—Yes, and they got six weeks each; they were good men, well behaved. The sister of the Bishop of Meath took great interest in one, and sent the man 2*l.*

5875. It was not on a fishing trip?—No; a foreign-going ship.

5876. But you say those cases are rare?—Yes, very rare indeed.

Mr. *Bentinck.*

5877. I understood you to say that, in your opinion, the character generally of the boys was badly affected by being sent to prison?—I think the moral effect is bad for these boys; that is the question I answered.

5878. Have you ever considered the question of whether some more summary mode of dealing with these cases, and enabling them to be sent on board, would not do away with the necessity for sending them to prison; supposing that there were a power of summary arrest of these boys?—I think that they should be punished when they refuse pointblank to go to sea; I think a little salutary punishment, if it were properly administered in the presence of a medical man, would be wholesome.

5879. Would you substitute any other punishment for imprisonment?—Yes, with a birch rod.

Chairman.

5880. Up to what age?—Up to 16.

Mr. *Bentinck.*

5881. But above the age of 16 what would you do?—Then I would treat them the same as the criminal prisoners, because they are fit for hard labour.

5882. Would not the power of arresting an apprentice without warrant under these circumstances do away with the necessity of sending him to prison?—I suppose it would; but I do not know what the result would be.

5883. The result would be that he would go on board his ship if he could be arrested without warrant, and would not be sent to prison?—I think that some other punishment should be resorted to for boys who refuse pointblank to go to sea. I would not send any boy under 16 to goal for that offence; but if the birchrod were adopted I should recommend that it should be carried out in the presence of a medical man and the governor of the gaol, and not by any borough magistrate. I have seen boys birched several times since I have been governor of the gaol, and it has had a very good effect.

Major *Mackay.*

12 April 1878.

Chairman.

5884. You mean they do not come again?—They do not; if half a dozen of these boys were to get about six strokes of the birch rods, they would tell all the other boys, and we should not have so many.

Mr. *Bentinck.*

5885. With the younger apprentices, you would substitute corporal punishment for imprisonment, and you think if any means could be devised by which the elder ones might be sent on board, it would, in many cases, obviate the necessity of their being sent to prison?—I do.

Mr. *Bates.*

5886. With regard to the last question of the honourable Member for Norfolk, the difficulty is to find the boys, is it not?—Yes.

5887. But after the smack has sailed and these boys have been hiding, then you find them?—Then I should punish them by imprisonment above the age of 16.

5888. What do you do with these boys when they come to you?—They are not fit for hard labour; I employ them in cutting firewood and picking oakum.

5889. And planting potatos, as we have been told?—No; these boys exaggerate when they go before a magistrate.

5890. And from your knowledge of these boys and what you have seen in Lincoln Gaol, you find them to be well-fed, well-clothed, and no appearance of having been ill-used?—I have never seen one who has been ill-used, and they are always well-clothed.

5891. You say you would not imprison boys under 16?—If you can prevent it in some other way; but I should have a punishment.

5892. Suppose a smack had sailed, as you heard from the first witness to-day, and these boys, one or two, or whatever the number may be belonging to her, had been hiding and could not be found, that smack must go to sea at a certain time; what would you do to those boys?—I should birch them.

5893. Where?—I should have them sent to the gaol, and have them birched in the presence of the medical officer and the governor.

5894. And what would you do till the smack returned?—I would send them back, and send them on board the next smack belonging to that owner that went out.

5895. On one of the smacks belonging to the same employer?—Yes. I should send them to Lincoln to be birched, and the same policeman should take them back and put them on board. If you did that, I am sure you would very soon put a stop to it.

5896. You have a regular rate for them on the railway?—A boy over 12 is 3*s.* 9*d.* by train from Grimsby to Lincoln; under 12 it is half price.

5897. You heard the first witness's evidence to-day, with regard to the treatment of these boys?—Yes.

5898. Do you agree with that?—Yes, as regards the way they are housed.

5899. And you think they are well treated?—I do; there may be exceptions, and those exceptions are where the boys have to be sent out to lodgings, and then in some cases they are not well treated, and housed and fed; they are very frequently three and four nights on shore at a time.

Mr. *Bates*—continued.

5900. Generally speaking, what state of health are these boys in that come to your prison?—Very healthy; but some of them are suffering from venereal disease, very young boys too, which, no doubt, is the forerunner of absenteeism. I think they get into some of these low places, and are advised not to go to sea. However, we have not had so much disease lately; although we have had more prisoners the disease is not so common.

5901. Is that the only disease; do you find them suffering from anything else?—No, as a class they are very healthy lads.

5902. They seem to be well-cared for?—Yes.

5903. In case these boys, as you say, should not be sent to gaol, I want to know what is to become of them; suppose they are sent from a smack, and there is no other smack belonging to the same owner; they are apprenticed, remember?—That just shows the want of a home for them; if you can have a home for them with dormitories, that is what is wanted there.

5904. And somebody to look after them?—Yes, some trustworthy person to look after them.

5905. Who would you ask to pay for the expense of that?—I believe that the smack-owners would subscribe largely towards it. I do not know from my own knowledge, but I think so, because they frequently send men from Grimsby to bring back these boys, and, on account, send me the money to defray their expenses.

5906. Before their time is out?—No; there are very few what they call liberates; sometimes it is one or two days before their time is out.

5907. They write and ask you to let them come?—Yes; then the person has to make oath before a justice of the peace that he wants these boys to go on board a ship at a certain day.

5908. The smack-owners send for them, and take them at their expense?—Yes; but if they are troublesome boys they let them come home in the regular way, and I have to give them something to buy bread on the road.

5909. Now how do you keep those boys when they are in your custody?—Entirely on the separate system.

5910. Away from the criminal men?—Yes, they are kept in one ward as far away as possible, and any men put up in that ward are non-effective men, aged men, not fit for hard labour; they never come in contact with anybody.

5911. Therefore they would not come in contact with criminals?—No.

5912. Then you treat them more as a school?—Yes, and there is school before breakfast every morning. Then they are employed generally, always, in fact, either in picking oakum in their cells, or cutting wood in a shed where there is a compartment for them to chop, and other boys to tie the wood. During the time they are there they are not actually separate, but they are as far apart as they can possibly be kept; so in chapel of a morning they are kept by themselves and put in the front seats.

5913. Do you think that treatment has any ill-effect upon these boys?—I think they like to be in this large building.

5914. As to their moral status, do you think that the treatment they receive when in your custody is much better than they would receive in the streets of Grimsby?—I think so, a great deal better; of course you cannot do much for a boy in from 14 days to a month.

5915. But even in that short period you look after

Mr. *Bates*—continued.

after their moral conduct better than it is looked after when on shore?—Yes, and they are more looked after by the chaplain than the adults are.

5916. Do you think that has a bad effect on the boy?—No, but I think the imprisonment, the fact of his coming to gaol, has a bad effect on the boy.

5917. Suppose you send them to a reformatory, the treatment is not different?—They are allowed there to talk at work and to go to school.

5918. I understood you to say you had school every morning?—Yes; but in each cell.

5919. You treat them as well as it is possible?—I treat them well, but only as they should be treated.

5920. You would like to have the power of flogging these boys?—No, I should not; but I should recommend the boy being birched instead of being sent to gaol.

5921. But he must be sent to Lincoln to be birched, you think?—To prevent any collusion.

5922. Do you think when these boys stay away when the smack sails it would be better to let them remain in the streets of Grimsby, or to send them to you?—I say send them down to me, decidedly, because they go from bad to worse if they are allowed to run about the streets.

Mr. *Charles Wilson.*

5923. I understood you to say that you would not allow these boys under 16 to be sent to prison; that would really result in this, that the smack-owners, at their own expense, would be obliged to establish some place where they could take charge of these boys and have them under their own supervision?—Yes, it is wanted very badly.

5924. They could hardly put them in there for desertion without legal authority to do so; they could hardly put them in a house of detention without such authority?—I would not make it a house of detention, but like a club.

5925. What control would you have over them if they would not go to sea; how are you to get hold of the boy and put him under restraint without sending him in some form or another to what would be a prison?—I should have him sent before the bench, and the bench sentence him.

5926. Would it not be actually sending him to prison?—I would not send him to prison if you could have the punishment administered anywhere else.

5927. I do not see how you are to get over the difficulty you are in; you cannot send him to sea without taking possession of him and locking him up somewhere; that is virtually a prison?—But they do not look at the lock-up in Grimsby as being the same as the county prison.

5928. You would give the magistrate the power of detaining them till they went to sea without sending them to prison?—Yes.

5929. And that ought to be done at the expense of the smack-owners and not at the expense of the county; is that so?—I do not know; it is done at present by the county. I say if you can suggest any other treatment do not send them to the county prison.

5930. Have you had any communication with the Hull prison authorities?—No.

5931. Are you aware that Hull and Grimsby furnish 90 per cent. of the total number committed?—I only heard it stated by you to-day.

Mr. *Charles Wilson*—continued.

5932. I should like to know the season of the year when these boys are mostly committed?—I can say, from general knowledge, that it is from October to the end of March; during the severe weather.

5933. And it appears from your information that, as the boys get a little older, and get a little more knowledge of what they have to go through, they get a little more inclined to desert?—No, the desertions are not many; altogether, in five years, there are only 35 committed for desertions.

5934. I mean the committals of boys of 12, 13, and 14 are very few, but when you get upwards the numbers increase?—Yes.

5935. Is that from any reason of this sort, that these boys who are apprenticed, as they get older think they ought to have some pay?—No; the only reason I could suggest would be that as these boys get older they go with the girls of the town, and they are kept absent.

5936. Do you know of any cases where the boys would like to leave the sea, and the parents would like to get them away, and they are unable to do so?—I only know one such case, a boy under my charge at the present moment from Leicester for destroying ship's stores.

5937. Did you see the letter that I referred to that appeared in the paper from some woman, complaining that she was not allowed to see her son, who was on one of these boats?—No.

5938. From your experience as having charge of these boys, you do not think that they are ill-treated or ill-fed, or ill-clothed?—No; there may be some exceptional cases of their getting the rope's-end on board.

5939. Do the boys give their reasons to you for deserting?—Sometimes they say that the skipper knocked them about.

5940. But never that they are afraid of going to sea?—Never.

5941. You are not aware whether there is any great loss of life among them?—I do not know that.

5942. Do you not think that a small boy of 12 or 13 is very liable to be washed overboard in a winter's gale on the Dogger Bank?—Yes. I do not think that any boy under 14 ought to be allowed to go to sea.

Mr. *Gourley.*

5943. Who generally prosecutes the boys; the master or the owner?—The owner, I should think.

5944. They are brought before the local magistrate by some authority; that authority would be either the master or the owner, would it not?—I am not in a position to answer that question; I should say it would be the owner; the master would be at sea.

5945. In sending these boys to prison, you would recommend that boys who absent themselves from their ships or desert should be detained in these places you have described, and sent on board ship when the next ship goes to sea?—I recommend that they should be simply punished, and not sent to prison.

5946. Do you think that would be effective?—I feel certain it would be.

5947. And better for the morale of the boys?—Better for the morale of the boys, and better for the masters too.

5948. For how long are the boys sent to prison?

Major *Mackay*.

22 April 1878.

Mr. *Gourley*—continued.

prison?—From seven days to 10 weeks; very few are sent for seven days, generally it is 14 the first offence.

5949. Is the time during which they are in prison all punishment, or partly educational?—All punishment, except what little education they get before breakfast

5950. What is that?—Reading, writing, and arithmetic; and the chaplain holds Bible classes twice a week for any of the boys that are willing to attend.

5951. Can the bulk of those boys read and write?—Two-thirds can, I should think; some are very intelligent.

5952. The boys who cannot you teach to read and write?—They are taught as far as we can.

5953. That is the system of your gaol?—Yes.

5954. Are you aware for how long the boys are generally bound?—No, I do not know of my own knowledge; I think it runs generally five years.

5955. They are generally bound?—Yes; they are all apprenticed.

5956. Has it ever come to your knowledge that a good deal of desertion on the part of these boys arises from ill-usage on the part of the master and the men when at sea; have you ever heard the boys complain of having been ill-used?—Only on one or two occasions, but they could never show any symptoms that they had received this ill-usage.

5957. Then it is not within your knowledge that the common practice exists of lashing the boys to the capstans when at sea, on the part of the master and men, and that they thrash these boys with a rope's end, or (as I have seen myself) with a hand-spike?—I have no doubt there are cases of the kind, but none of these boys that have complained have been able to show any marks.

5958. You have never perhaps rowed about near these vessels on the Dogger Bank?—*No.*

5959. You recommend that no boy should be punished under the age of 16?—Not sent to prison. I recommend that all boys that disobey, or absent themselves, or refuse to go to sea, or are guilty of desertion, or anything of the kind, should be summarily punished and not committed to gaol.

5960. If the law remained as it is now, would not that result in the master or owner confining himself to the employment of boys of 16 years of age and above?—No; I suggest that no boy should be apprenticed under 14.

Mr. *Hamond*.

5961. You think that sending these boys to gaol is very prejudicial to them?—I do.

5962. Are you aware whether when any boy is sent to gaol for a term varying from seven days to 10 weeks any deduction is made from his pay?—I am not aware of that.

5963. Failing any other remedy, would you think that, instead of sending these boys to gaol, the magistrate should have power to send them to the workhouse, and then deduct their keep from their wages?—I do not think that would answer; they would go to the workhouse and not be under the same discipline that they would be in a gaol. You want to substitute the workhouse for the gaol; why would you send them there.

5964. Because you say the gaol is detrimental?

Mr. *Hamond*—continued.

—And the other would not be much better. The very name of being sent to a workhouse would have a bad effect on the boy.

5965. I put this question: failing any other place to send them to, and you having your great objection against the gaol, would you, as a medium course, permit the magistrates to have power to send these boys to the workhouse, deducting from their pay their keep during the time they are there?—You must recollect that these boys have no money except what is given to them.

5966. I understand from a book which has been put before us to-day, that they have weekly wages; the out-door apprentices get from 12 *s.* to 15 *s.* a-week?—That is from the fish sold; that is shares in the fish sold: these apprentices have no money except what is given to them.

5967. At the present moment they go to gaol. I asked you whether you are aware if, during the time they are in gaol, the magistrate makes any order for any deduction from their wages during the time they are not rendering service to their master, and you say you are not aware; having so great an objection to send them to gaol in the absence of anything else, would it be a bad plan to send these boys to the workhouse, deducting from their wages, in some shape or another, the cost of keeping them there during the time they are so committed?—If they have money to pay, what I would suggest is, to fine any boy as a substitute for the punishment of sending him to gaol; if you could get him to go on board a ship, I should deprive him of his pay for so many days.

5968. I want to get out that, if you fine him as much as you can fine him, the boy will be unable to pay the fine at the time that the magistrate inflicts it?—Then it is not effective.

5969. Then supposing that you fine the boy, and the boy is unable to pay the fine, would you make him return to the ship, and allow the fine to be paid by his master, or owner, out of his wages?—I would.

5970. And you would think that, on the whole, sufficiently punishing him, and it would not make the boy think himself a criminal, as he would by going to gaol?—That would depend upon circumstances entirely.

5971. It would have a great moral effect?—It would if it were carried out. I am against sending a boy to a prison where there are a lot of men. A boy was never allowed to be put in the guard-room in the regiment I served in when I was in the army.

5972. If your recommendation were carried out, that no boy should go this peculiar service under 14, you would have a great number of boys less committed to your gaol?—No doubt.

5973. And then if the magistrates had the power either to fine the boy, the master paying it out of his wages during his apprenticeship, or to send him to the workhouse, and then deduct his keep, it would be almost as much a deterrent to the lad as sending him to gaol?—Unless he he were a very bad lad.

5974. Supposing for the first offence the magistrate had that power?—I do not think a boy should be punished at all for the first offence, unless it were a serious offence.

5975. Supposing the magistrate had the power for the second offence, would you approve of that?—I do not approve of the workhouse at all if it can be avoided. I would rather the second time give him six strokes of the birch; I should

go

Mr. *Hamond*—continued.

go on to 12 the next offence, and I would not exceed 36.

5976. Supposing the workhouse would be no remedy, and yet the fining of the boy would be a remedy, deducting it from his wages, what other plan would you adopt by which you might inflict punishment, apart from the birch rod?—I do not know; a fine is one thing that I should go in for; deprive him of his pay; but I do not know what you could substitute for the birch rod for a small boy.

5977. The great bulk in the winter months are probably boys young in years?—Yes, during the severe weather we had six or eight weeks ago in one day I had 21 committals.

5978. It is the fear of the sea that makes those boys absent themselves?—That is why I recommend that no boy should go in under 14.

Mr. *O'Shaughnessy*.

5979. You suggest that there should be a home for these boys to inhabit during the intervals of time between the different voyages?—Yes.

5980. As a means of preventing their getting into bad hands?—Yes.

5981. As I understand now in these intervals they live in lodging-houses in Grimsby?—A good many do.

5982. And these lodging-houses are under no supervision?—No.

5983. And the danger of their falling into the hands of prostitutes is increased by their living in these lodging-houses?—Yes.

Mr. *O'Shaughnessy*—continued.

5984. The masters have the expense of keeping them when on shore?—Yes.

5985. Do you not think that if the masters combined together and formed a house for their support it would save them money?—Yes.

5986. What did you find was the general cause of these boys running away?—I found in some cases women were the means; and one boy would say to another, "We will not go on board"; they will frequently not go to sea, because they wish to stop on shore on Sundays.

5987. Have you any idea of what the number of boys employed in Grimsby might be?—I heard to-day 1,700 or 1,800.

5988. Then 25 per cent. of those would be committed during the course of the year?—Very near.

5989. At the rate of the last six months it would be 458 for the whole year?—Yes.

Mr. *Bates*.

5990. The average of five years has been, you say, 200?—Two hundred and thirteen, and one man over.

Mr. *O'Shaughnessy*.

5991. Do you believe that the only way to diminish this evil is to get the boys cared for properly under supervision during the intervals between their voyages?—I think it is the first step.

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APPENDIX.

Appendix, No. 1.

PAPER put in by the *Chairman*.

GERMAN CRIMINAL CODE. Appendix, No. 1.

ARTICLE 298.

(Translation.)

A SEAMAN who runs away (entlauft) with his wages, or keeps himself concealed in order to withdraw himself from the service which he has undertaken, is punishable with imprisonment for one year, whether the offence is committed at home or abroad.

Appendix, No. 2.

PAPER handed in by Mr. *Williamson*.

NOTES extracted from the SHIPPING OFFICE RETURNS at *Liverpool*. Appendix, No. 2.

YEAR.	Men Shipped.	Neglected to Join.	Deserted.	Refused to Prosecute.	Sent to Prison.
1873	117,646	4,020	73	2,048	165
1874	109,662	2,859	44	1,185	175
1875	105,532	2,588	31	817	222
1876	102,650	2,606	69	1,019	223
1877	104,468	2,558	82	1,178	181
÷ 5)	539,988	14,631	299	6,247	966
	107,997⅗	2,926⅕	9⅗	1,249⅗	193⅕

Per-centage of desertions to men shipped - - - ·054
or, 1 man to every 2,000 shipped.
Per-centage of neglecting to join to men shipped - - 2·709
Per-centage of refusing to prosecute to
Neglecting to join - - - - - - - 42·684
Per-centage of sent to prison to
Neglecting to join + desertions - - - - 6·465
Per-centage of sent to prison to total shipped - - ·179
or about 3·500 per 2,000, or 7 men to every 4,000 shipped.

MEMORANDUM.

1. Nearly all that are got hold of are sent to prison.
2. It is proved that of the men who neglect to join and desert + 75 per-cent. give wrong addresses.

Appendix, No. 3.

PAPER delivered in by Mr. *Duncan*, 19 March 1878.

Appendix, No. 3.

ABLE SEAMEN.

CERTIFICATE OF COMPETENCY.

THE_____ for_____

will ship Hands at this Office at_____ o'clock, on_____ next.

Five shillings per month Extra Pay will be given to any A.B. shipped who holds one of the above-named Certificates.

CERTIFICATE OF COMPETENCY.

No._____.

ISSUED TO AN ABLE-BODIED SEAMAN.

THIS is to certify that_____

has this day satisfied the Nautical Examiners, appointed by the Local Marine Board of London, that he is competent to perform the duties of an Able Seaman, and that his character is satisfactory.

Dated at St. Katherine Dock House, Tower Hill, this_____

day of_____ 187____.

Chairman.

Signature of Seaman_____

Registered,_____

Secretary.

CONDITIONS.

This Certificate is issued to the Seamen named on the face hereof, under and subject to the following Conditions:—

1. That he shall not allow any one else to use it.
2. That he writes his Signature on the face of it in his usual manner.

3. That

3. That he shall be 19 years of age, at least, on passing his Examination.

4. That on taking service on board Ship he hands this Certificate to the Master, to be retained by the Master until the termination of the voyage or engagement.

5. That he shall return it to the Local Marine Board, if, after inquiry, he shall be called upon by the Secretary to do so.

DESCRIPTION.

THE following is a personal Description of the Seaman for whom this Certificate is issued:

Born at_____ County of _____

on the___ _____ ____day of_____18_____.

Height_____feet_____inches. Colour of Hair _____

Colour of Eyes_____ Complexion_____

Any Physical peculiarity_____

Description and place of any Tattoo, or other artificial markings_____

Appendix, No. 4.

PAPER put in by the *Chairman*, 5 April 1878.

FORM Sanctioned by the Board of Trade, in pursuance of the Merchant Seaman Bill, Section 21.

Original.

NAME OF SEAMAN.

Date 1877.	JOHN JONES, A.B.	£.	s.	d.	Initials of Seaman.
1 Jan. -	Tobacco, 1 lb. - -	-	2	6	
2 Feb. -	Bar of soap - - -	-	1	6	
2 „ -	1 dozen matches - -	-	1	-	
18 „ -	Cash at (Cape) - -	-	10	-	
6 Mar. -	Flannel shirt - - -	-	6	6	
20 April -	Clothes bought at sale of deceased seaman's effects.	1	10	6	
30 „ -	Cash at Calcutta, 10 rupees.	1	-	-	
3 May -	Bumboat - - -	-	4	6	
6 „ -	Washing - - -	-	5	-	
20 „ -	Fines while in gaol -	1	10	6	
4 June -	Tobacco - - - -	-	3	-	
8 July -	Jacket and pants - -	1	4	-	
30 Aug. -	Cap and guernsey, 8 *s.* 6 *d.*, tobacco, 3 *s.*	-	11	6	
5 Sept. -	Pair of boots, 10 *s.*, jumper, 4 *s.* 6 *d.*	-	14	6	
20 „ -	Cash at Malta, bumboat -	-	9	6	
30 Oct. -	Tobacco - - -	-	4	6	
10 Nov. -	Cash on leaving - -	-	10	-	
	TOTAL - - - £.	9	9	-	

Note.—The master, or an officer authorised by him for the purpose, is to enter in this form and in the counterfoil, all advances made to the seaman during the voyage, and before the seaman leaves the ship with the consent of the master at the end of the voyage; and is to obtain the seaman's initials at the time the advance or payments are made. When the seaman leaves the ship, the counterfoil is to be torn off and handed to him.

All advances not included in this form are to be put into Form F., to be submitted to the superintendent at or before the final settlement of the wages.

Counterfoil.

NAME OF SEAMAN.

Date 1877.	JOHN JONES, A.B.	£.	s.	d.	Initials of Seaman.
1 Jan. -	Tobacco, 1 lb. - -	-	2	6	
2 Feb. -	Bar of soap - - -	-	1	6	
2 „ -	1 dozen matches - -	-	1	-	
18 „ -	Cash at (Cape) - -	-	10	-	
6 Mar. -	Flannel shirt - - -	-	6	6	
20 April -	Clothes bought at sale of deceased seaman's effects.	1	10	6	
30 „ -	Cash at Calcutta, 10 rupees.	1	-	-	
3 May -	Bumboat - - -	-	4	6	
6 „ -	Washing - - -	-	5	-	
20 „ -	Fines while in gaol -	1	10	6	
4 June -	Tobacco - - - -	-	3	-	
8 July -	Jacket and pants - -	1	4	-	
30 Aug. -	Cap and guernsey, 8 *s.* 6 *d.*, tobacco, 3 *s.*	-	11	6	
5 Sept. -	Pair of boots, 10 *s.*, jumper, 4 *s.* 6 *d.*	-	14	6	
20 „ -	Cash at Malta, bumboat -	-	9	6	
30 Oct. -	Tobacco - - -	-	4	6	
10 Nov. -	Cash on leaving - -	-	10	-	
	TOTAL - - - £.	9	9	-	

Note.—When a seaman who wishes to leave the final settlement of his wages to a superintendent of a Mercantile Marine Office is satisfied that the above is a correct account of all deductions to be made from his wages on account of advances made to or for him during the voyage, or of stores, &c., supplied during the voyage, he should sign the following certificate, and hand this form to the superintendent, or to a deputy or officer authorised to receive it.

CERTIFICATE OF SEAMAN.

I hereby certify, that the above is a true statement of all deductions to be made from my wages, except the sums paid to me for advance of wages before joining, and allotments paid under an allotment note.

(signed)——————————
Seaman.

Date——————187——.

Appendix, No. 4.

THE following are actual Accounts of Deductions copied from a Book as now kept by some Masters.

1877.	EDWARD JACKSON, A.B.	Tobacco.	Sundries.
		£. s. d.	£. s. d.
20 Oct.	1 lb. tobacco	– 2 6	—
4 Nov.	1 oil suit	–	– 14 6
	1 pair boots	–	1 2 6
	1 pair tweed trousers	–	– 8 –
	2 shirts	–	– 7 –
	1 jersey	–	– 7 6
	1 pair blucher boots	–	– 8 –
9 Nov.	1 lb. tobacco	– 2 6	—
	2 lbs. soap	–	– – 8
12 Dec.	1 cap	–	– 2 6
	1 knife	–	– 1 6
	1 lb. tobacco	– 2 6	—
	3 lbs. soap	–	– 1 4

Note.—This Account is kept in a separate book by itself.

1877.	Cash Account. San Francisco.	£. s. d.
3 March	Charles Edwards, A.B.	1 –
	Albert Williams, A.B.	4 – –
	Edward Jackson, A.B.	3 – –
	James Flynn, C. officer	10 – –
	George Brennan, O.S.	2 – –
	Roger Lone, A.B.	2 – –
	£.	22 – –

This Account is kept in a separate book, and the whole is entered in a book printed the same as the account wages issued by the Board of Trade.

Appendix, No. 5.

PAPER handed in by Mr. *Bates*.

Appendix, No. 5.

LETTER from Mr. *J. W. Firth* to Mr. *G. P. Bates*.

Pacific Steam Navigation Company,
31, James-street, Liverpool,
3 April 1878.

Dear Sir,

CAPTAIN WOOLCOTT has handed to me your note of this date, and in answer to the inquiry contained therein, I have to inform you that it is the custom of this Company to issue advance notes to the seamen and firemen employed on board of their steamers sailing out of the United Kingdom.

I am, &c.
(signed) *J. W. Firth*,
Deputy Manager.

Geo. Percy Bates, Esq.,
Liverpool.

Appendix, No. 6.

PAPER handed in by Captain *Murray*.

Estimated Number of Masters living, possessing Certificates of Competency	26,085
Ditto, possessing Certificates of Service	14,000
Total	40,085

Note.—The proportion the Extra Certificated Masters bear to this number is under 2 per cent.

Number of Persons who have obtained Certificates of Competency as Extra Master from 15th November 1850 to 31st December 1877	779
Ditto Ordinary Master	30,772

General Register and Record Office of Shipping and Seamen,
30 March 1878.

Everard Home Coleman,
Assistant Registrar General.

Appendix, No. 7.

PAPERS handed in by Captain *Pitman*, and referred to in his Evidence, 5 April 1878.

— No. 1. —

Appendix, No. 7. (M. 12,795.)

Foreign Office to Board of Trade.

(Referred to in Q. 4643.)

Sir, Foreign Office, 6 September 1873.

WITH reference to Lord Tenterden's letter of 5th June, I am directed by the Secretary of State for this Department to transmit to you, for the information of the Lords of the Committee of Privy Council for Trade, an extract from the New York "World," on the subject of the alleged misconduct of Consul General Archibald.

I am, &c.

The Secretary to the Board of Trade, &c. &c. &c. (signed) *G. Hammond.*

Enclosure in No. 1.

EXTRACT from "The World," New York, Saturday, 31 May 1873.

Mr. ARCHIBALD, the British Consul.

SEVERAL days ago our news columns contained reports of a disturbance which some shipping masters in this city were attempting to kick up with Mr. Archibald and his office, the British Consulate General. The matter upon investigation serves to bring out in stronger light how well deserved is the esteem in which now, as for many years past, Mr. Archibald is held in the commercial and the social circles of this metropolis. The chief instigator of the disturbance is a shipping master, whom the Consul General has had to denounce for his frauds upon seamen, and his statements are as false as might have been expected from such a person.

1. The appointment of a shipping agent of character and experience to witness the signatures to agreements, to see that (so far as practicable) seamen's advances are secured to them, and before whom in all cases seamen shall be paid off and discharged (which is the sore point with the scoundrels who would plunder Jack), is an arrangement sanctioned and authorised by the British Board of Trade, for the purpose of mitigating the abuses which have heretofore prevailed to the injury of seamen, to the corrupting of ship-masters, and to the detriment of shipowners.

2. Also that the shipping agent so appointed shall be at liberty to supply men for crews, provided no fee or charge be made to the seamen for procuring their employment, the principal part of this business being still done by the old shipping agents.

3. This arrangement is not, and has not been the source of the slightest profit to Mr. Archibald, but on the contrary, has entailed additional office expenditure.

There are two cases of alleged incompetency and wrong doing on the part of the shipping agent, Mr. Fraser. But the truth is, that the master in the first case had himself attempted to escape from reimbursing moneys advanced at his request, and the second case is almost pure fabrication.

As to the statement that petitions are circulating for Mr. Archibald's recall it is false; but we wish it were true, for there is not a shipowner nor shipbroker in New York who would not be glad of the opportunity to score upon such a petition his testimony to the advantage to them of the arrangement made by Mr. Archibald, and to the value to seamen of such protection from one breed of harpies who invest great seaports. And the petitions in question would never get away from these shores without the signatures of several thousands of the foremost merchants and citizens of New York, praying Her Most Gracious Majesty to confine Consul General Archibald's residence to Manhattan Island for the rest of his days.

— No. 2. —

(M. 12,795.)

Board of Trade to Foreign Office.

Board of Trade, Marine Department,
Whitehall Gardens, S.W.,
12 September 1873.

Sir,

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 6th instant, enclosing an extract from the New York "World," on the subject of the agitation made by certain shipping masters at New York against Her Majesty's Consul at that port.

The Board of Trade think that the "World" pay no more than deserved testimony to the character and services of Mr. Archibald, of which the Board of Trade entertain a high sense, and they would be glad to hear that sufficient addition had been made to his staff, as suggested in their letter of the 3rd July last (unanswered), as would enable him to perform all the duties of the Consulate, not only to the best of his ability, but with full compliance with British law.

I have, &c.
(signed) *Thomas Gray.*

The Under Secretary of State,
Foreign Office.

— No. 3 —

(M. 244.)

Her Majesty Consul at New Orleans to Board of Trade.

(Referred to in Q. 4643.)

British Consulate, New Orleans,
20 December 1873.

Sir,

I HAVE the honour to enclose proceedings, &c., &c., in three Naval Courts, and certificates as to the necessity of the costs therein incurred.

Owing to the reluctance of witnesses from the ship to appear and give evidence, the hearing could not be completed in one day.

As the defendant Goudey did not appear, and neither the Court or the Consulate had power to apprehend him, the case was submitted to an United States Commissioner, who issued a warrant for his arrest, to which, I am sorry to say, no return has yet been made.

I beg to be instructed whether an unpaid Vice Consul is to be considered an official member of a Naval Court on which he serves with the Consul, so as not to be entitled to remuneration.

I have, &c.
(signed) *A. de G. de Fonblanque.*

The Secretary, Board of Trade,
London.

Enclosures in No. 3.

CERTIFICATE.

Reg. *v.* Duncan McLeod; Reg. *v.* James Walsh; Reg. *v.* Wilfred Goudey.

I HEREBY certify that the above three cases were tried before Naval Courts similarly constituted, during two days, and that I have allowed the unofficial members an allowance of one guinea and a half a day, under the following special circumstances.

It has always been the custom in New Orleans to pay masters of British ships for their services on Naval Courts, and that the attendance of competent persons could not be obtained unless such compensation for their loss of time were made. The regular fee is two guineas a day for each member, but as the trials were concluded before two o'clock on the second day I allowed only three guineas for the whole session.

(signed) *A. de G. de Fonblanque.* (L.S.)

Appendix, No. 7.

Naval Courts.

Reg. *v.* Duncan McLeod; Reg. *v.* Wilfred Goudey; Reg. *v.* James Walsh.

Complaint.

The chief mate of the ship "John Bunyan," and nine members of the crew, appear before me on Monday the 11th of December 1877, and complain as follows:—

The chief mate, Noel Duncan, says, that the boatswain (acting second mate), Wilfred Goudey, and the boatswain's mate, James Walsh, had conspired to assault him, and had actually done so by beating and kicking him, causing a probable permanent injury to his hip. He also stated that the master, who had witnessed the latter part of the assault (when he was kicked by both men whilst down on the deck), struck him, and did not punish his assailant.

The men complain that, during the voyage, Goudey (who is the son of the owner) had said that his father had given him orders not to let the crew go the round trip, but to drive them out of the ship, and so save payment of their wages, and that as soon as she had arrived at New Orleans he did actually order them to leave, as they supposed, with the concurrence of the master. That the next morning they asked the master for their wages, that he refused, said that he wanted them to go in the ship; but on their refusing to serve under Goudey and Walsh, gave them back their old discharges, and let them go.

Three of the men charge the boatswain's mate (Walsh) with assaults.

Subsequent Proceedings by the Consul.

Considering all the charges together, and the character which certain Nova Scotia ships have unfortunately gained for improperly getting rid of their crews at this port, and suspecting that the master's express desire for the men to remain was not genuine, I consider that the cases should be formally investigated, and accordingly call a Naval Court.

(signed) *A. de G. de Fonblanque.* (L.S.)

Copy of Notice.

British Consulate, New Orleans.

To Mr. *Duncan M'Leod*, Master of the British Ship "John Bunyan."

Take Notice that you are hereby summoned to appear before a Naval Court, to be held at this Consulate on Thursday next, the 13th instant, at 10 o'clock in the forenoon, to answer the following charges:

1. Wrongfully forcing on shore at New Orleans, a place out of Her Majesty's dominions, Louis Young, Nicolas Lutzen, Thomas Logan, Harry Rohlff, Stieven Ferdindo, Giacomo Lovrovich, G. A. Anderson, Carl Jansen, and Joseph Silva, belonging to the British ship "John Bunyan," whereof you were master, on the 8th day of December 1877, against the form of the Statute in such case made and provided, and against the peace of our Sovereign Lady the Queen, her Crown and dignity.

2. Wrongfully attempting to leave behind at New Orleans, a place out of Her Majesty's dominions, Louis Young, Nicolas Lutzen, Thomas Logan, Harry Rohlff, Stieven Ferdindo, Giacomo Lovrovich, G. A. Anderson, Carl Jansen, and Joseph Silva, belonging to the British ship "John Bunyan," whereof you were master, on the 8th day of December 1877, against the form of the Statute in such case made and provided, and against the peace of our Sovereign Lady the Queen, her Crown and dignity.

You will bring with you such witnesses as you may desire to give evidence on your behalf. 12th December 1877.

(signed) *A. de G. de Fonblanque,*
Consul, President.

COPY OF NOTICE.

British Consulate, New Orleans.

To *James Walsh*, Boatswain's Mate of the Ship "John Bunyan."

TAKE NOTICE that you are hereby summoned to appear before a Naval Court, to be held at this Consulate on Friday next, the 14th instant, at 11 o'clock in the forenoon, to answer the following charges:

1. For wrongfully forcing Thomas Logan, a seaman belonging to the ship "John Bunyan," on shore at New Orleans, out of Her Majesty's dominions.

2. Conspiring with one Wilfred Goudey to wrongfully force on shore from the British ship "John Bunyan" at New Orleans on the 7th day of December 1877, Thomas Logan, a seaman belonging to the said ship, against the peace of our Sovereign Lady the Queen, her Crown and dignity.

You will bring with you such witnesses as you may desire to give evidence on your behalf. 13th December 1877.

(signed) *A. de G. de Fonblanque,*
Consul and President.

COPY OF NOTICE.

British Consulate, New Orleans.

To *Wilfrid Goudey*, Boatswain of the Ship "John Bunyan."

TAKE NOTICE that you are hereby summoned to appear before a Naval Court, to be held at this Consulate, on Thursday next, the 13th instant, at 10 o'clock in the forenoon, to answer the following charges:

1. Wrongfully forcing on shore the following seamen of the ship "John Bunyan" at New Orleans on the 9th day of December 1877, contrary to the 206th Clause of the Merchant Shipping Act, 1854, that is to say, Louis Young, Nicolas Lutzen, Thomas Logan, Harry Rohlff, Stieven Ferdindo, Giacomo Lovrovich, G. A. Anderson, Carl Jansen, and Joseph Silva.

2. Assault and battery, on the high seas, of Carl Jansen on or about the 24th day of October 1877.

3. Assault and battery, in the Mississippi River, of Nicolas Lutzen on the 3rd day of December 1877.

4. Assault and battery, on the high seas, of Thomas Logan on the 13th day of October 1877.

You will bring with you such witnesses as you may desire to give evidence on your behalf. 10th December 1877.

(signed) *A. de G. de Fonblanque,*
Consul, President.

PROCEEDINGS OF THE COURT.

Reg. v. *Duncan McLeod.*—For Forcing men Ashore.

Present:

The Court:

A. de G. de Foublanque, Her Britannic Majesty's Consul, President.
William Davis, Master of British Steamship "Liddesdale."
George Mitchell, Master of British Ship "Scioto."
William Johnson, Clerk of the Court.

Defendant pleads—Not guilty.

WILLIAM JOHNSON:—Am Clerk to the British Consulate at New Orleans and this Court, and have the custody of ships' papers. I produce the register and articles of the ship "John Bunyan" (put in, marked A. and B., and subsequently returned). The "John

Appendix, No. 7.

Bunyan" is a British ship. The defendant is her master. Louis Young, Nicolas Lutzen, Thomas Logan, Henry Rohlff, Stieven Ferdindo, Giacomo Lovrovich, J. A. Anderson, Carl Jansen, and Joseph Silva, are on the articles as seamen. Contract round voyage from Liverpool to South West Pass, and back to a final port of discharge in the United Kingdom or continent of Europe.

(signed) *William Johnson.*

THOMAS LOGAN:—I am A.B. on board the ship "John Bunyan." I signed the articles now shown to me. Sailed from Liverpool in the ship. When we arrived at New Orleans, on Sunday last, the 9th instant, and moored the ship alongside the wharf, the second officer, Wilfred Goudey, and the boatswain, James Walsh, were standing together a few feet apart, and Goudey said to me and all the crew, "Take your clothes and go ashore." He said this as soon as the ship was fast. We had just put out the gangway, which was the last thing that was done in securing the ship. The gangway was on the poop, close to the pilot-house. The captain was standing by the pilot-house door, at most 10 or 12 feet from the gangway. He could have heard what Goudey said, for he spoke very loud. The captain did not say anything. I took my things ashore without saying anything to the captain; I did so because we were ordered to do so, and I supposed it was understood that we were to go, as the officers of the vessel had spoken of it several times in coming up the river. In consequence of this I left the ship and went ashore, and so did the rest of the crew. I should not have thus gone on shore unless I had been told. Next morning, between eight and nine o'clock, we went on board to see the captain; Goudey was standing by the gangway; he asked what we wanted; I said we wanted to know when the captain would give us our money. Soon afterwards the captain came on deck; he was the first to speak; he said, "What's wrong; why don't you men go to work?" I said, "We was ordered on shore by Mr. Goudey." He said, "Was I aboard at the time; I am captain of the ship." I made no answer; none of the men made any. I asked the captain for my old discharge, and he gave it to me (discharge put in, marked C, and subsequently returned). I asked him for my wages, and he said he could not pay me off. During this time Goudey was on the main deck. The captain did not say anything to him. All the rest of the crew were given their old discharges. These are the discharges which we gave the captain when we shipped at Liverpool. Goudey is a little over 20 years of age; he was acting as second mate. I do not think he knew the first point of his duties. His father is the owner of the ship. He has been away from the ship ever since we left on Monday. When the captain refused to pay us we all went to the Consulate to complain.

Cross-examined by *Defendant.*] Q. On Monday morning, when you asked me to pay you off, did I not say, "I don't want you men to leave the ship"?—*A.* Yes, you said something to that effect.

Did I tell you that I had not given the second mate orders to tell you to leave the ship?—I do not remember your saying so. You said you were on board, and were captain; you said, "You should have come and seen me."

By the PRESIDENT.] Goudey messes in the cabin. At the time when the ship was moored the chief officer was not on duty. He was sitting on the poop; he was sick. A month's wage was due to me at New Orleans.

(signed) *Thos. Logan.*

NEIL DUNCAN:—Am chief mate of the "John Bunyan." I was incapacitated "for duty at the time the ship arrived at New Orleans, and was on the poop when the gangway was rigged. Did not see where the captain was when the gangway was rigged." Goudey said, "That will do you; you can go ashore," or "You can go now," or words to that effect. The expression of his voice and manner was, I should think, calculated to mean you must go ashore, and not you may go ashore.

Cross-examined.] Heard you on Monday morning tell Goudey that he had done wrong to order the men on shore. I think Goudey denied having done so, and laid it on to the boatswain. This was after the men had left.

(signed) *Neil Duncan.*

JAMES WALSH:—I am boatswain's mate on board the "John Bunyan." Remember when the ship was made fast at the wharf at New Orleans; when all was done Goudey said, "Boatswain, the men can take their bags and go ashore." I repeated the words at the top of my voice, and the men did so. This was said loud, too, so that any on board the ship could hear it except, perhaps, in the cabin. It might possibly have been heard in the cabin. I mess in the cabin and dine at the second table. Have not heard the captain say anything about the men leaving at New Orleans. Ten days before we arrived, Goudey told me he did not want the men after the ship had arrived at New Orleans. He had a good deal to say on board this ship. He said he did not want any men to do the round trip and earn their wages. He said that Harry Rohlff and Louis Young might stay, and all the rest would have to go. He said they were better men than the others. He did not always eat at the second table; he did so oftener than not.

Cross-examined.]—The second mate eat sometimes at the first table.

(signed) *James Walsh.*

NICOLAS

NICOLAS LUTZEN:—Am A.B. on board the "John Bunyan;" remember when the ship was made fast at New Orleans. About three weeks before we arrived the last witness asked me if I had my bag ready to go ashore. I said "No, Sir;" he did not make any reply. When the gangway was rigged, Goudey said, "That will do; take your clothes and go ashore." Walsh repeated that loud, so that every one could hear it. I cannot say if it could be heard in the cabin. Left Liverpool on the 10th October last; captain gave me back my discharge with the rest on the Monday after we left the ship; a month's wages was due to me.

No cross-examination.

(signed) *N. Lutzen.*

EDWARD WREXAN:—I am cook and steward on board the "John Bunyan." I do not recollect asking the witness Logan if he would be on board to dinner. I did prepare dinner for all hands as usual on the day the ship came in, and supper also. No one has told me to leave the ship.

No cross-examination.

(signed) *Edward Wrexan.*

DENIS RYAN:—Am cabin-boy; was waiting on the captain at breakfast on Monday morning. Don't remember the crew coming on board that morning. The captain did not send me up with any message. No one sent me with a message to anyone; was going backwards and forwards between the cabin and the galley; did not see any of the crew about. The mate, Mr. Duncan, and the captain were breakfasting together; Goudey was on deck. If the crew were around the door of the captain's cabin I must have seen them; none of them were there. This was at 8 o'clock; I was attending to the cabin up to 9 o'clock. I then cleaned the breakfast things in the pantry, which is in the cabin. The captain was in the after-cabin; he did not come out. He must have passed in sight of me if he had; he stopped there till 11 o'clock. Did not hear him talking to any of the men; did not see him give anything to any of them; did not see any of the men on board up to 11 o'clock or afterwards. Am quite sure that the captain was in the cabin from half-past 7 till 11 o'clock. I did take a message from the witness Logan to the captain, that the men wanted their discharge and wages. I did not think of this before I took the message; I told the captain that the men wanted their discharge and money. He said, all right, I will be up after breakfast; he said nothing more. He did go up and speak to them about half-past 8; did not hear what he said to them. I wait upon the second table at which Walsh, Goudey, and the capenter eat. Goudey dined there every day; he never dined anywhere else; never dined with the captain. I always waited, so I know it. Out at sea, about five weeks after we left Liverpool, I heard Goudey say to Walsh, We'll make these men work, and drive them ashore at New Orleans. They were in the cabin with the capenter; no one else. About five days before we got into the river I heard a conversation between Walsh and Goudey; Goudey said, "How will I get these men ashore," and Walsh said he'd show him. This was in the cabin; they did not let me hear half what they said. This is all I heard about running the men out of the ship. Heard nothing said about wages.

No cross-examination.

By the PRESIDENT.—Saw Goudey last on Monday morning; don't know where he is.

(signed) *Denis Ryan.*

DEFENCE.

Did not know that the men were ordered on shore, nor did I give any orders to that effect. On Monday I told the men I wanted them to stand by the ship and make the voyage in her. Logan said he would not make the voyage, as he had been ill-used on board. I said I would not see him ill-used. I gave him his discharge.

Re-calls WALSH as his Witness.—You cautioned me at South West Pass on the 7th to be kind and good to the men.

By the PRESIDENT.] Don't know of any reason why he should have told me to be kind and good to the men.

N.B.—This Witness left without signing.

(signed) *A. de F.*

NORMAN BOND HATFIELD:—Am master of the British ship "Walter D. Wallett." Remember the day that the "John Bunyan" arrived and made fast. Mine was the inside ship, the "Rock Terrace" the next, and the "John Bunyan" outside. The defendant called me just as they shoved out the gangway, and I went with him into his cabin. Heard no order given on deck. I was in the cabin two or three hours. The ship was actually made fast when we went into the cabin.

(signed) *N. B. Hatfield.*

Appendix, No. 7.

FINDING.

The majority of the Court are of opinion that the defendant was not a party to the acts and orders of the boatswain Goudey, and consequently find him not guilty on the first or second charges.

(signed) *William Davis,*
Steamship "Liddesdale," of North Shields.
(signed) *George Mitchell,* Ship "Scioto."

I AM unable to concur in the above opinion. I agree that the master is not criminally liable for an illegal order given by a subordinate, but taking all the circumstances of the case into consideration, I cannot think that a man in the position of boatswain, or acting second mate, would have dared to give such an order as Goudey gave, unless he had been directly or indirectly authorised to give it. It is possible that the defendant did not hear from his cabin the order given by Goudey, though the evidence is that it was loudly "sung out." I take it, however, as suspicious, that the defendant should have retired to his cabin, as he did before the gangway was rigged, leaving the ship (an outside one) in charge of so very inexperienced an officer as Goudey is proved to be. There is no evidence that the order was repudiated until the men came for their money on Monday morning, and then I think it was adopted by the defendant by his giving the men their old discharges. I am, therefore, of opinion that the second charge is proved.

(signed) *A. de G. de Fonblanque,*
President. (L.S.)

Severally sworn, deposed, and signed, by the above-named William Johnson, Thomas Logan, Niel Duncan, James Walsh, Nicolas Lutzen, Edward Wrexan, Denis Ryan, Norman B. Hatfield, before the Court at the British Consulate, New Orleans, on the 13th day of December One thousand eight hundred and seventy-seven.

As witness my hand and seal of office.

(signed) *A. de G. de Fonblanque,*
President. (L.S.)

PROCEEDINGS of the COURT.

Reg. v. *James Walsh.*

1. FOR wrongfully forcing Thomas Logan, a seaman belonging to the ship "John Bunyan," on shore at New Orleans, being a place out of Her Majesty's dominions.

2. Conspiring with one Wilfred Goudey to wrongfully force on shore from the British ship "John Bunyan," at New Orleans, on the 7th day of December 1877, Thomas Logan, a seaman belonging to the said ship, against the peace of our Sovereign Lady the Queen, her Crown and dignity.

Present:

The Court:

A. de G. de Fonblanque, Her Britannic Majesty's Consul, President.
William Davis, Master of the British Steamship "Liddesdale."
George Mitchell, Master of the British ship "Scioto."
William Johnson, Clerk of the Court.

Defendant pleads—Not Guilty.

WILLIAM JOHNSON:—Am Clerk to the British Consulate, New Orleans, and to this Court. I have the custody of ship's papers. I produce the articles and register of the ship "John Bunyan" (put in marked A. and B., and subsequently returned. The "John Bunyan" is a British ship, and Thomas Logan is one of her crew on the articles).

(signed) *William Johnson.*

THOMAS LOGAN:—Am A. B. on board the ship "John Bunyan." Sailed in her from Liverpool on the 9th October, and arrived at New Orleans on the 9th December. Shipped at 3 *l.* a month, and had one month's advance. When the ship was made fast at New Orleans, the second mate gave orders to the defendant, and all hands, "Take your clothes and go on shore;" the defendant repeated the orders. In consequence of this order, I went. The exact words were, "That will do men, take your bags and go ashore." This was given in the tone of an order, and not a permission.

Cross-examined:—You are junior officer to Goudey.

(signed) *Thomas Logan.*

[Adjourned till 11 o'clock, To-morrow (Friday).

Friday, 14th December 1877. Appendix, No. 7.

Present:

The Court.

The Defendant.

William Johnson, Clerk of the Court.

DENIS RYAN:—Am cabin-boy on board the "John Bunyan." The defendant is her boatswain's mate. When we had been out to sea about five weeks I overheard a conversation between the defendant, Wilfred Goudey, the boatswain, acting as second mate. Goudey said, "We'll drive these sons of bitches ashore in New Orleans." Defendant said, "All right." About five or six days before we got into the River Mississippi I heard another conversation on the same subject. Goudey said to defendant, "How will we get them ashore?" Defendant said, "I'll show you." That was all I heard.

No cross-examination.

(signed) *Denis Ryan.*

NICOLAS LUTZEN:—Am A.B. on board the "John Bunyan." About three weeks before we came into New Orleans the defendant, pointing at me, said, "There is a man who is not going on shore without his discharge; we'll make him go." He said this to Goudey. I had said very often in the forecastle that I would not go without my discharge. Defendant spoke loud. Harry Rohlff, Thomas Logan, and Louis Young were present.

No cross-examination.

(signed) *N. Lutzen.*

HARRY ROHLFF:—Am A.B. on board the "John Bunyan." Heard what the last witness said. Heard defendant say to Goudey, "That man don't want to go ashore without a discharge." Did not hear Goudey reply. I am a German.

No cross-examination.

(signed) *Harry Rohlff.*

THOMAS LOGAN, re-called:—I remember this talk as Lutzen went up the rigging. I heard defendant say to Goudey, "There is a man who won't go ashore without his discharge." Goudey said, "We will see about that." That was all I heard. I had heard Lutzen say in the forecastle that he would not go without his discharge.

No cross-examination.

(signed) *Thos. Logan.*

LOUIS YOUNG:—Am A.B. on board the "John Bunyan." Heard defendant and Goudey speak about Lutzen. Defendant said to Goudey, "There is a man who won't go on shore without his discharge." Goudey said, "I'll see about that."

No cross-examination.

(signed) *Louis* (his + mark) *Young.*

DEFENCE.

I DID not drive the men out of the ship at all. I had my orders, and gave them.

DUNCAN MCLEOD:—Am Master of the ship "John Bunyan." Never heard you say anything to the men to the effect that I would make them leave the ship.

(signed) *Duncan McLeod.*

Severally sworn, deposed, and signed, by the above-written William Johnson, Thomas Logan, Denis Ryan, Nicolas Lutzen, Harry Rohlff, Thomas Logan, Louis Young, and Duncan McLeod, before the Court at the British Consulate, New Orleans, on the Thirteenth and Fourteenth days of December One thousand eight hundred and seventy-seven.

As witness my hand and seal of office.

(signed) *A. de G. de Fonblanque,*
President. (L.S.)

Appendix, No. 7.

FINDING.

THE Court unanimously finds the defendant guilty on both charges, and sentences him to be discharged from the ship, and to pay a fine to Her Majesty's Treasury of six pounds eight shillings, to be levied on his wages and effects.

(signed) *A. de G. de Fonblanque*, President.
William Davis, Master of Steamship "Liddesdale."
George Mitchell, Master of Ship "Scioto."

PROCEEDINGS of the COURT.

Reg. v. *Wilfred Goudey.*

FOR wrongfully forcing seamen on shore from the ship "John Bunyan."

Present:

The Court:

A. de G. de Fonblanque, Her Britannic Majesty's Consul, President.
William Davis, Master of the Steamship "Liddesdale."
George Mitchell, Master of the Ship "Scioto."
William Johnson, Clerk of the Court.

The Defendant is called three times, and does not appear.

[Adjourned till To-morrow.

Friday, 14th December 1877.

Present:

The Court.

William Johnson, Clerk of the Court.

Defendant called three times, and does not answer.

WILLIAM JOHNSON, having been duly sworn, says:—I am Clerk to the British Consulate, and to this Court. On Monday last, the 10th instant, I served the original of the notice I now produce (put in, and marked A.) upon Wilfred Goudey, by leaving it on board the ship "John Bunyan," with the master. I have the custody of ship's papers, and produce the register and articles of the ship "John Bunyan" (put in, and subsequently returned). The "John Bunyan" is a British ship; the men whose names are contained in the charge are on her articles as seamen. The defendant is thereon as boatswain; his voyage is from Liverpool to South West Pass, and thence to a final port of discharge in the United Kingdom or continent of Europe. I did not find defendant on board the ship.

(signed) *William Johnson.*

DUNCAN MCLEOD:—I am master of the British ship "John Bunyan." I last saw defendant on Monday last, about 9 or 10 o'clock. He has not been on board since; he has left part of his effects, and part of his wages are unpaid. The carpenter remains on board, three seamen, the steward, and the cabin boy. The three seamen have been in the ship for two years and one year respectively. I caused it to be known over the ship that there was a summons against defendant, and called his name over the ship when the summons was served. I left the summons on the cabin table open; it is there yet. The carpenter dines at that table.

(signed) *Duncan McLeod.*

FINDING.

THE Court is of opinion that the summons has been duly served, that it has come to the knowledge of the defendant (Goudey), and sentences the defendant for his failure to appear to pay a fine to Her Majesty's Treasury of 5 *l.* 14 *s.*, to be levied on his wages and effects.

(signed) *A. de G. de Fonblanque*, President.
William Davis, Master of Steamship "Liddesdale."
George Mitchell, Master of Ship "Scioto."
(L. S.)

Severally sworn, deposed, and signed by the above-named William Johnson and Duncan McLeod, before the Court at the British Consulate, New Orleans, the Fourteenth day of December One thousand Eight hundred and Seventy-seven.

As witness my hand and seal of office.

(signed) *A. de G. de Fonblanque*,
President. (L.S.)

— No. 4. —

(M. 244.)

Board of Trade to the Deputy Minister of Marine and Fisheries, Ottawa, Canada.

Inquiries.

Board of Trade, Marine Department,
Whitehall Gardens. S.W.
16 January 1878.

Sir,

I AM directed by the Board of Trade to transmit herewith a copy of the proceedings of three Naval Courts held by Her Majesty's Consul at New Orleans, into charges preferred against the master, the boatswain, and the boatswain's mate of the "John Bunyan," of Yarmouth, Nova Scotia; and to request you to draw the attention of the Minister of Marine and Fisheries to the conduct of these officers in endeavouring to force the crew ashore, and to the motives which it is alleged influenced the boatswain, Goudey (the son of the owner), in so doing.

The Board would be much obliged to the Minister of Marine and Fisheries if he would call upon the owner of the "John Bunyan," for any observations he may have to make in reference to Goudey's reported statements.

I am, &c.
(signed) *Thomas Gray.*

The Deputy Minister of Marine and Fisheries,
Ottawa, Canada.

— No. 5. —

(CASE of *William Nott*, referred to in Q. 4642.)

THE following is an actual Case:—William Nott, a seaman, who was shipped at Portland, before the British Vice Consul, on board the British ship "Stratheden," in February 1876. The vessel went from Portland to Melbourne, and returned to Portland, on arrival at which port Nott claimed his discharge, although not entitled to it by the articles. The case came on before Justice Deady, of the United States Admiralty Court, who decided that Nott was entitled to his discharge and wages, because he had not been shipped before the United States Shipping Commissioner, as provided by Act of Congress. The Vice Consul then appealed to the Circuit Court, but the case not being properly brought before the Court, Judge Deady's opinion was confirmed; but the Shipping Commissioner was instructed to confine his duties to American shipping; and on the 15th March, Judge Deady informed the Vice Consul that he retracted his decision as to the interpretation of the Merchant Shipping Act of the United States, finding that were the matter brought clearly before the Circuit Court, a reversal would be certain.

— No. 6. —

(In answer to Q. 4646.)

From the Shipping Master to the Assistant Secretary, Finance Department, Board of Trade, London; dated Calcutta, 22nd February 1878.

Sir,

I HAVE the honour to report the case of a seaman named George McDonald, who has been written off the articles of the ship "Bengal," of Liverpool, Official No. 60,040, as a deserter by the master, evidently under a misapprehension.

Appendix, No. 7.

2. The ship cleared from this office on Monday the 26th November 1877, and the master made the following endorsement on the Clearance Register of this office: "George Macdonald in gaol; application has been made for him to be put on board; no wages due. No effects left on board." (signed) *W. J.*

3. On the 4th December 1877, the enclosed letter from the master, dated 28th November, was received, and the man was accordingly noted in the books of this office as having deserted his vessel.

Letter from G. McDonald, dated 26th December 1877. Memorandum of Deputy Shipping Master to G. McDonald, No. 990, dated 8th January 1878. Letter from G. McDonald with enclosure, dated "Lady Ruthven," 11th January 1878.

4. Then followed the correspondence cited in the margin, which I annex (in original) for perusal, and from which it was seen by the certificate attached to the seaman's letter, dated "Ship 'Lady Ruthven,' the 11th January 1878," that he had been under treatment in hospital from the 27th November to 31st December 1877. I accordingly communicated with the Superintendent, Presidency Gaol, and received in reply the enclosed letter, No. 115, of 23rd instant, intimating that he had been admitted into gaol on the 2nd November 1877, and released on the 26th of the same month.

5. From the above it will be understood that McDonald could have been free one day only, viz., Monday, the 26th November 1877, on the evening of which he had been put on board by the police, as stated in the master's letter quoted above, and corroborated by letter of the Presidency Magistrate, Calcutta, No. 40, dated 9th February 1878, and enclosure, which I forward herewith, also in original. But as the man is proved to have been in hospital the very next day, viz., the 27th November, he could have had no intention to desert.

6. I have written this at the seaman's request, and with the view to furnish documentary evidence in support of any claim he may have against the ship.

7. The "Lady Ruthven" of Greenock, Official No. 72,387, cleared on the 9th January 1878.

I have, &c.
(signed) *J. D. Maclean,*
Shipping Master.

Enclosures in No. 6.

(2859–4/12/77.)

Ship "Bengal," 28 November 1877.

Dear Sir,

THIS morning on mustering the crew I find that George McDonald, A.B., who was put on board on Monday night by the police, to be missing; as the ship is now proceeding to sea, I treat him as a deserter. He has no wages due, and he took his clothes out of the ship some time ago.

Yours, &c.
(signed *William Irving,*
Master, "Bengal."

Superintendent, Shipping Office.

Forwarded in original to the Deputy Shipping Master.

(signed) *J. D. Maclean,*
Shipping Master.

4 December 1877.

Medical College Hospital, Dr. Palmer's Ward,
26 December 1877.

Dear Sir,

I WROTE you 18th December, and have received no answer as yet in reference to my being left here behind by the captain of the ship "Star of Bengal;" he did not come up to sign me clear from the ship, and if he has not left my things at the Home and seen you, he must have taken them with him. The doctor requested me to write this to you to ask if captain has seen you. Please give an answer to the bearer, and any further questions you may want to know he will be able to answer.

I remain, &c.
(signed) *G. McDonald.*

(990 of 8/1/78.)

From Mr. *G. McDonald* (Seaman), Medical College Hospital, to Shipping Master; dated 26th December 1877.

ENQUIRES whether his wages and effects from the "Star of Bengal" have been deposited in this office.

The Shipping Master, Sailors' Home,
20 December 1877.

(No. 990.)

MEMORANDUM.

IN reply to his letter dated 28th ultimo, regarding his wages and effects from the ship "Star of Bengal," Mr. G. McDonald is informed that the vessel named by him has not visited this port since July last.

If Mr. McDonald has been in hospital since that month, a proper written statement will be taken on his discharge from hospital, and the matter reported to the Board of Trade.

(signed) *H. Ellis,*
8 January 1878. Deputy Shipping Master.

(True copy.)

(signed) *H. Ellis,*
Deputy Shipping Master.

Ship "Lady Ruthven."

Sir, 11 January 1878.

IN answer to your memorandum, I beg to state that the name of the ship is the "Bengal," not the "Star of Bengal," as stated in my last letter; it was a mistake of the friend of mine that wrote it. The "Bengal" sailed on the 27th November for New York, and I entered the hospital on the same day. I forward my discharge to you, and I leave in this vessel to-morrow for Dundee, so you had better forward all statements to Dundee, as I shall get them. I indeed to see about it went I get to Dundee, so you can be kind enough to forward my hospital discharge as well.

I am, &c.
To Shipping Master. (signed) *George M'Donald.*

The "Bengal" hailed from Liverpool.

(1052 of 22 January 1878.)

From the Shipping Master to the Deputy Shipping Master. No. 33—S.; dated 15th January 1878.

FORWARD's letter of Geo. M'Donald, dated ship "Lady Ruthven," 11th January 1878, intimating that the vessel he was illegally left behind from is the "Bengal."

MEMORANDUM, No. 33—S.

Forwarded in original, with enclosure, to the Deputy Shipping Master.

(signed) *Jno. Wm. Armstrong,*
15 January 1878. Shipping Master.

No._____

DISCHARGE CERTIFICATE.

I HEREBY certify that George M'Donald, seaman, late of the "Bengal," was under treatment in the Medical College Hospital from 27th November to 31st December 1877, and that he has been this day discharged cured and fit for duty.

(signed) *J. Bird Sim,*
Medical College Hospital, Steward, Medical College.
31 December 1877.

Appendix, No 7.

(No. 145.)

To the Shipping Master, Calcutta, dated Presidency Gaol, the 23rd January 1878.

Sir,

With reference to your No. 1052 of the 22nd instant, I beg to state that seaman George M'Donald was admitted in this gaol on the 2nd November 1877, and released on the 26th of the same month.

I have, &c.
(signed) *F. C. Nicholson*, M.B.,
Superintendent.

(No. 52—S.)

Forwarded in original to the Deputy Shipping Master.

(signed) *J. D. Maclean*,
25 January 1878. Shipping Master.

(No. 40.)

From *F. J. Marsden*, Esq., Presidency Magistrate, Calcutta, to *J. D. Maclean*, Esq., Shipping Master, dated Calcutta, the 9th February 1878.

Sir,

With reference to your letter, No. 1105, dated 2nd instant, to the address of the Deputy Commissioner of Police, I have the honour to state that Geo. M'Donald, late of the ship "Bengal," was admitted into the Presidency gaol on the 2nd November 1877, and, on application of the master, was put on board his ship on the 26th of that month, as the ship was leaving this port.

A copy of the said seaman's conviction is herewith forwarded.

I have, &c.
(signed) *F. J. Marsden*,
Presidency Magistrate.

(No. 93—S.)

Forwarded in original, with enclosure, to the Deputy Shipping Master.

(signed) *J. D. Maclean*,
11 February 1878. Shipping Master.

From the Shipping Master to the Deputy Shipping Master, No. 93—S.; dated 11th February 1878.

Forwards letter of the Presidency Magistrate S. D., No. 40, 9th February 1878, enclosing commitment certificate of a seaman named George M'Donald, of the ship "Bengal."

Commitment Certificate.

Be it remembered that, on the 2nd day of November, in the year of our Lord 1877, before me, Frederick J. Marsden, Esq., magistrate of police in and for the town of Calcutta, at Fort William, in Bengal, George M'Donald, seaman of the British ship "Bengal," was convicted on a charge of absence without leave from on board the said ship lying in the River Hooghly, off Calcutta, from the 25th of October 1877 to the 2nd November 1877, and I, the said magistrate of police, adjudge the said George M'Donald to suffer rigorous imprisonment for the space of six weeks, and to forfeit all wages from 25th October to 2nd November 1877. Given under my hand, the day and year above named.

signed) *F. J. Marsden*,
Magistrate of Police. (L. S.)

(True copy.)

(signed) *F. J. Marsden*,
Justice of the Peace.

— No. 7. —

(M. 4957.)

Superintendent of Mercantile Marine Office, Newport (Monmouth), to Board of Trade.

Mercantile Marine Office, Newport, Monmouth,
4 April 1877.

Sir,

A VESSEL called the "Truth," Official No. 69,341 of Liverpool, arrived here from London, having signed articles at that port for Java, *viâ* Newport, Monmouth. The master reported that nearly all his men had deserted, but when asked to prosecute, declined. I made enquiries as to the truth of his statement, and am informed that upon the ship's arrival the A. B.'s requested to have their old discharges, but the master refused to give them up, telling the men they could go on shore, and so long as they kept out of his way he would not put the police after them. They are now staying at a house in the town, and can be brought forward; this is of very common occurrence amongst masters arriving here from other ports in the United Kingdom to load here for foreign; and I now report the matter for your consideration as to whether they are not liable under the 170th section of the Merchant Shipping Act, 1854, for allowing men to leave without discharging them in this office.

(signed) *Wm Upward,*
Superintendent.

The Assistant Secretary,
Marine Department, Board of Trade.

P.S.—I would feel obliged by an early reply, as it is probable the men may tender themselves to ship.

— No. 8. —

(M. 4957.)

Board of Trade to the Master of the "Truth," Newport (Monmouth).

Seamen (at Home).

Board of Trade, Marine Department,
Whitehall Gardens, S.W.,
9 April 1877.

Sir,

I AM directed by the Board of Trade to inform you that it has been reported to them, that on the arrival, recently, of the "Truth," at Newport, Monmouth, you stated that nearly all your crew had deserted, but declined to take any steps to prosecute them; and to call upon you to forward to this department any explanation you may be able to offer as to your reasons for such refusal.

I am, &c.
(signed) *G. I. Swanston.*

The Master of the "Truth,"
Newport, Monmouth.

(Sent to Owners, Messrs. J. and W. Eills, 6 Park-lane, Liverpool.)

— No. 9 —

(M. 5778.)

Messrs. *Eills & Co.*, to Board of Trade.

Liverpool, 20 April 1877.

Sir,

REPLYING to yours, received yesterday, enclosing Letter 4957, respecting desertion of crew of "Truth," at Newport, we know nothing of the matter further than that they deserted, and put us to considerable expense in procuring another crew at Newport; the late master of "Truth" left at last moment through a sudden illness, and present master joined the vessel in the Roads, the new crew being all on board.

We are, &c.
(signed) *Eills & Co.*

To the Assistant Secretary,
Marine Department, Board of Trade.

Appendix, No. 8.

PAPER handed in by Captain *Murray*, with reference to Answer 5255.

Appendix, No. 8.

GENERAL NATURE.—No. 114.

AN ACT to authorise the appointment of SHIPPING COMMISSIONERS by the several CIRCUIT COURTS of the UNITED STATES to superintend the Shipping and Discharge of SEAMEN engaged in MERCHANT SHIPS belonging to the UNITED STATES, and for the further protection of SEAMEN. [7 June 1872.]

BE IT ENACTED by the Senate and House of Representatives of the United States of America, in Congress assembled, That the several Circuit Courts of the United States in which circuits there is a seaport or seaports for which there is a collector of customs, or in which there is a port of entry, shall appoint a Commissioner for such seaport within their respective circuits as in their judgment may require the same, and which shall also be ports of ocean navigation, such Commissioners to be termed "Shipping Commissioners," and may from time to time remove from office any of the said Commissioners whom it may have reason to believe does not properly perform his duties, and shall provide for the proper performance of such duties until another person is duly appointed in his place; shall regulate the mode of conducting business in the shipping offices to be established by the Shipping Commissioners as hereinafter provided, and shall have full and complete control over the same, subject to the provisions herein contained.

Section 2. That every Shipping Commissioner so appointed shall enter into bonds to the United States, conditioned for the faithful performance of the duties required in his office, for a sum, in the discretion of the circuit judge, of not less than five thousand dollars, with two good and sufficient securities therefor, to be approved by said judge, and shall take and subscribe the following oath before entering upon the duties of his office: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and that I will truly and faithfully discharge the duties of a Shipping Commissioner to the best of my ability, and according to law." Said oath shall be endorsed on the commission or certificate of appointment, and signed by him, and certified by the officer before whom such oath or affirmation shall have been taken.

Section 3. That any Shipping Commissioner may engage a clerk or clerks to assist him in the transaction of the business of the shipping office at his own proper cost, and may, in case of necessity, depute such clerk or clerks to act for him in his official capacity; but the Shipping Commissioner shall be held responsible for the acts of every such clerk or deputy, and will be personally liable for any penalties such clerk or deputy may incur by the violation of any of the provisions of this Act, and all acts done by a clerk, as such deputy, shall be as valid and binding as if done by the Shipping Commissioner. Each Shipping Commissioner shall provide a seal with which he shall authenticate all his official acts, on which seal shall be engraved the arms of the United States, and the name of the seaport or district for which he is commissioned. Any instrument, either printed or written, purporting to be the official act of a Shipping Commissioner, and purporting to be under the seal and signature of such Shipping Commissioner, shall be received as *primâ facie* evidence of the official character of such instrument, and of the truth of the facts therein set forth.

Section 4. That every Shipping Commissioner shall lease, rent, or procure, at his own cost, suitable premises for the transaction of business and for the preservation of the books and other documents connected therewith, and which premises shall be styled "the Shipping Commissioner's Office." And the general business of a Shipping Commissioner shall be, first, to afford facilities for engaging seamen by keeping a register of their names and characters; secondly, to superintend their engagement and discharge in manner hereinafter mentioned; thirdly, to provide means for securing the presence on board at the proper times of men who are so engaged; fourthly, to facilitate the making of apprenticeships to the sea service, and to perform such other duties relating to merchant

chant seamen and merchant ships as are hereby or may hereafter under the powers herein contained be committed to him.

Section 5. That such fees, not exceeding the sums specied in the Table marked "A" in the Schedule hereto annexed, shall be payable upon all engagements and discharges effected before Shipping Commissioners as hereinafter mentioned, and such Shipping Commissioners shall cause a scale of the fees payable to be prepared, and to be conspicuously placed in the shipping office, and the Shipping Commissioner may refuse to proceed with any engagement or discharge unless the fees payable thereon are first paid.

Section 6. That every owner, consignee, agent, or master of a ship engaging or discharging any seamen or seaman in a shipping office, or before a Shipping Commissioner, shall pay to the Shipping Commissioner the whole of the fees hereby made payable in respect of such engagement or discharge, and may, for the purpose of in part reimbursing himself, deduct, in respect of each such engagement or discharge, from the wages of all persons (except apprentices) so engaged or discharged, and retain any sums not exceeding the sums specified in that behalf in the Table marked "B" in the Schedule hereto annexed.

Section 7. That any Shipping Commissioner, or any clerk, or employé in any shipping office who shall demand or receive any remuneration whatever, either directly or indirectly, for hiring or supplying any seaman for any merchant ships, excepting the lawful fees payable under this Act, shall, for every such offence, incur a penalty not exceeding 200 dollars.

Section 8. That in the case of any place or port in which no Shipping Commissioner shall have been appointed, then the whole or any part of the business of a Shipping Commissioner shall be conducted by the collector or deputy collector of Customs of such place or port, and in respect of such business such custom-house shall be deemed a shipping office, and the collector or deputy collector of customs to whom such business shall be committed, shall, for all purposes be deemed a Shipping Commissioner within the meaning of this Act; and any person other than a Commissioner under this Act who shall perform, or attempt to perform, either directly or indirectly, the duties which are by this Act set forth as pertaining to a "Shipping Commissioner," shall incur a penalty not exceeding 500 dollars: Provided, That nothing in this Act shall be construed as to prevent the owner, or consignee, or master of any ship, except such as are described in Section 12 of this Act, from performing himself, so far as the said ships are concerned, the duties of Shipping Commissioner under this Act.

Section 9. That every Shipping Commissioner appointed under this Act shall, if applied to for the purpose of apprenticing boys to the sea service by any masters or owners of ships, or by any person or persons legally qualified, give such assistance as is in their power for facilitating the making of such apprenticeships, but the Shipping Commissioner shall ascertain that the boy has voluntarily consented to be bound, and that the parents or guardian of said boy have consented to said apprenticeship, and has attained the age of 12 years, and is of sufficient health and strength, and that the master to whom the boy is to be bound is a proper person for the purpose: Provided that said apprenticeship shall terminate when the apprentice becomes 18 years of age. And the Shipping Commissioner may receive from the persons availing themselves of such assistance the fees contained in Table "C" in the schedule hereto annexed. And the Shipping Commissioner shall keep a register of all indentures of apprenticeship made before him.

Section 10. That the master of every foreign-going ship shall, before carrying any apprentice to sea from any place in the United States, cause such apprentice to appear before the Shipping Commissioner before whom the crew is engaged, and shall produce to him the indenture by which such apprentice is bound, and the assignment or assignments thereof (if any); and the name of said apprentice, with the date of the indenture and the assignment or assignments thereof (if any) shall be entered on the agreement, and no such assignment shall be made without the approval of a Commissioner, the apprentice, his parents or his guardian. And for any default in obeying the provisions of this section, the master shall for each offence incur a penalty not exceeding 100 dollars.

Section 11. That if any person shall demand or receive, either directly or indirectly, from any seaman seeking employment as a seaman, or from any other person seeking employment as a seaman, or from any person on his behalf, any remuneration whatever, other than the fees hereby authorised for providing him with employment, he shall for every such offence incur a penalty not exceeding 100 dollars.

Section 14. That, first, if any person shall be carried to sea as one of the crew on board of any ship making a voyage as hereinbefore specified, without entering into an agreement with the master of said ship in the form and manner and at the place and times hereby in such cases required, the ship shall be held liable, and for each such offence shall incur a penalty not exceeding 200 dollars: Provided always that the ship shall not be held liable for any person carried to sea who shall have secretly stowed away himself without the knowledge of captain, mate, or of any of the officers of the ship, or who shall have falsely personated himself to the captain, mate, or officers of the ship, for the purpose of being carried to sea; secondly, if any master, mate, or other officer of a ship knowingly receives or accepts to be entered on board of any merchant ship any seaman who has been engaged

Appendix, No. 8.

or supplied contrary to the provisions of this Act, the ship on board of which such seaman shall be found shall, for every such seaman, be liable to and incur a penalty of a sum not exceeding 200 dollars: Provided further, that in case of desertion, or of casualty resulting in the loss of one or more seamen, the master may ship a number equal to the number of whose services he has been deprived by desertion or casualty, and report the same to the United States consul at the first port at which he shall arrive, without incurring such penalty.

SCHEDULE.

Table A.—(Section 5.)

Scale of Fees for matters transacted at Shipping Commissioners' Offices.

First.—Fee payable on engaging crew, for each member of the crew (except apprentices) - - - - - - - - -	2 dols.
Secondly.—Fee payable on discharging crew, for each member of crew discharged - - - - - - - - - -	50 cents.

Table B.—(Section 6.)

Sums to be deducted from Wages of Seamen in partial Repayment of the Fees payable in Table A.

In respect of engagements, from the wages of each member of the crew - - - - - - - - - - - - - -	25 cents.
In respect of discharges, from the wages of each member of the crew - - - - - - - - - - - - - -	25 cents.

Table C.—(Section 7.)

Fees payable by the Master or Owner for apprenticing Boys to the Sea Service.

For each boy so bound, including the indenture - - - -	5 dols.

Appendix, No. 9.

PAPER handed in by Major *Mackay*.

LINDSEY PRISON, LINCOLN.

RETURN showing the Number of PRISONERS who have been Committed to the LINDSEY PRISON for Offences under the MERCHANT SHIPPING ACT, during the Years ended 29th September 1873, 1874, 1875, 1876, and 1877.

YEARS.	OFFENCES.				TOTALS.	YEARS.	AGES.											TOTALS.
	Absenting Sea Apprentices.	Refusing to go to Sea.	Deserting Ship.	Damaging the Stores of a Ship.			11 Years.	12 Years.	13 Years.	14 Years.	15 Years.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.	Above 20 Years.	
1873 - -	136	28	6	1	171	1873 - -	-	1	3	3	25	28	28	35	11	16	21	171
1874 - -	178	2	6	1	187	1874 - -	-	1	8	8	23	24	16	31	37	14	25	187
1875 - -	199	9	6	- -	214	1875 - -	-	-	3	12	29	31	30	30	37	13	29	214
1876 - -	224	2	9	1	236	1876 - -	-	2	3	8	25	53	43	39	21	11	31	236
1877 - -	246	- -	8	4	258	1877 - -	-	-	1	21	32	39	40	52	27	15	31	258
TOTALS -	983	41	35	7	1,066	TOTALS -	-	4	18	52	134	175	157	187	133	69	137	1,066

FROM 1ST OCTOBER 1877 TO 31ST MARCH 1878.

——	202	- -	23	4	229	- -	1	-	3	12	25	40	49	42	18	7	32	229

G. Mackay, Governor.

Appendix, No. 10.

PAPER handed in by the *Chairman*.

Appendix, No. 10.

SEEFAHRTSBUCH—(NAVIGATION) SEAMAN'S BOOK.

APPENDIX.—GERMAN COMMERCIAL CODE.

FIFTH BOOK.—OF THE MARITIME TRADE.

Second Title.—Of Owners and Ownerships.

Article 453.—The owner is responsible for the claims of the master and persons appertaining to the crew arising from their engagements, and this obligation is not covered by the value of the ship and her freight alone, but is a personal one.

In the case however of the owner losing his ship, through no fault of his own, before the termination of the voyage, and especially—

if she be totally lost,
if she be condemned as not capable or worthy of repair, and, in consequence, is publicly sold without delay (Article 444),
if she be taken by pirates, or,
if she be seized or stopped, and is declared as lawful prize,

he shall not be personally responsible for any claims arising out of the non-completion of the voyage, or if it consist of several intermediate voyages, the last intermediate voyage.

The last intermediate voyage begins in the port in which the ship has last loaded or discharged cargo, and dates from the time the loading has commenced or the discharging ended.

A refuge harbour shall not be deemed a port of loading or discharge in the meaning of this Act.

The owner may not claim a return of any payments made on account of earnest money or advances in any of the aforenamed cases.

Fourth Title.—Of the Crew.

Article 528.—The term "crew" shall include every officer on board except the master; and the term "seaman" shall likewise include every officer on board except the master.

Article 529.—The stipulations of the terms of the contract entered into with the crew shall be stated in the muster-roll.

Article 530.—If a seaman be engaged after the issue of the muster-roll, its stipulations, agreed to by the rest of the crew, shall, in default of any other, apply to himself. He can only specially demand the same wages which, according to the muster-roll, are settled on the remainder of the crew of equal rank with himself.

Article 531.—The obligation of the crew to be on board, and to begin work, commences, if not otherwise agreed, with the mustering.

The wages, likewise, commence, if not otherwise agreed, from the time of mustering.

Article 532.—Any seaman who after the mustering avoids entering upon or fulfilling his duties, can be compelled to do so by the master.

Article

Article 533.—At sea the seaman is compelled to obey absolutely the orders of the master, and to perform, at any time, all work allotted him in respect to ship and cargo.

The seaman is subject to the discipline of the master. The precise regulations in respect to the disciplinary authority of the master are to be defined by the statutes.

Article 534.—The seaman may not bring on board any goods without the permission of the master. For all goods belonging to himself or other persons conveyed against this prohibition, he must pay the highest rate of freight current for such voyages, and for such goods, at the place and time of unloading, without affecting his obligation to compensate for any greater damage. The master is also empowered to throw the goods overboard if they endanger ship or cargo.

The laws which visit the infraction of this prohibition with further penalties are not affected hereby.

Article 535.—The seaman is obliged, when requested, to co-operate in the making of the protest, and to give evidence on oath.

Article 536.—Wages are to be paid to the seaman, if no other agreement be made, at the end of the voyage, or at the termination of the contract, if that take place sooner.

The statutes, or, in default, the customs of the port in which the mustering takes place, shall determine whether any and what payments may be made to seamen in advance or on account prior to entering on board or during the voyage.

Article 537.—The seaman may not take proceedings against the master in a foreign court. If he act in opposition to this regulation, he is not only responsible for any loss arising therefrom, but shall also forfeit any wages earned up to that time.

He may, in cases not admitting of delay, apply for the provisional award of the consul of the country, or the consul who may be called upon to act for him, or in default, then of any other consul of any one of the German States. Each party must, in the meantime, comply with the award of such consul, reserving the right to institute legal proceedings before the competent authority after the termination of the voyage.

Article 538.—The seaman is bound, provided no other stipulation be made in his contract, to remain in the service during the whole voyage, including any intermediate voyages, until the termination of the home voyage.

When the home-voyage does not terminate at the port from which the ship has sailed, he is entitled to a free conveyance back again, and payment of his wages during the journey, or, at his option, an equivalent compensation (Art. 517).

Article 539.—If, after the termination of the outward bound voyage, an intermediate voyage be determined on or terminated, the seaman may demand his discharge, provided two or three years (according to whether the ship is in a European or non-European port) have elapsed since the commencement of service. The seaman shall, upon such discharge, only be entitled to claim the wages earned up to that time, and not any further compensation. No discharge can be demanded as soon as the home voyage has been arranged.

Article 540.—The foregoing Article does not apply when the seaman has engaged himself for a longer period. The engagement for an unlimited period, or with a general agreement that after the end of the outward voyage the service is to be continued for any voyages which may be determined on, shall not be considered as an engagement for a longer period.

Article 541.—In the event of the ship's voyage being prolonged beyond two years, and no agreement to the contrary existing, an increase of wages shall take place for every seaman who has been on board from the commencement of the out-voyage, and has agreed to be paid according to time.

The rate of increase is determined by the statute laws.

Article 542.—The engagement terminates, if, by any occurrence, the owner lose his ship, especially—

If she be totally lost;
If she be condemned as not capable or worthy of repair (Art. 444), and in consequence is publicly sold without delay;
If she be taken by pirates; or,
If she be seized or stopped, and declared as lawful prize.

In such cases the seaman is entitled to receive not only his earned wages, but also a free conveyance to the port from which the vessel first set out; or, an equivalent compensation, at the master's option.

The seaman remains bound, in case of shipwreck, to render every assistance under pain of forfeiting his wages, and to co-operate in making up the protest against payment of such expenses as may be incurred by travelling or loss of time. The owner is personally responsible for such expenses, but as to the rest, he is only responsible in accordance with the provisions of Art. 453.

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Article 543.—In the following cases, besides those stipulated in the contract of hire, the master may discharge the seaman before the termination of the contract:—

1. If, before the departure of the ship, the seaman is found incapable of performin the duties contracted by him; if his incapacity is discovered only after the departure of the ship, the master is entitled to reduce the rating of such seaman, except the mate, and to diminish his wages proportionally.

2. If the seaman commit a gross violation of his duties, especially repeated acts of disobedience or continued obstinacy, any act of smuggling, or any action punishable by severe penalties.

3. If the seaman be suffering from a syphilitic disease, or by illicit means contract a disease or injury by which he is rendered unable to work.

4. If the voyage for which the seaman was engaged cannot be commenced or continued by reason of war, embargo, blockade, prohibition of export or import, or by any other casualty to ship or cargo.

Article 544.—The seaman shall receive, in the cases of Nos. 1 to 3 of Article 543, those wages only which he has earned. In the case of No. 4, if discharged after the commencement of the voyage, he is entitled not only to such earned wages, but also to a free conveyance (Art. 517) to the port in which he was engaged, or, at the master's option, to an equivalent compensation.

The law of which, in the case of No. 2 of the foregoing Article, renders the seamen liable to the forfeiture of his earned wages is not affected by the aforesaid stipulations.

The law of the country may, on other grounds than those enumerated in Article 543, allow the unwilling discharge of a seaman without compensation or upon partial compensation.

Article 545.—If the seaman, hired for a voyage, be discharged before his contract terminate, for reasons not mentioned in Articles 543 and 544, when such discharge takes place before the commencement of the voyage, he shall, by way of compensation, retain any moneys he may have received as advance or earnest-money, provided such does not exceed the usual amount.

If no earnest-money or advances be paid, he may claim one month's wages by way of compensation. If the discharge take place not until after the commencement of the voyage, he shall be entitled to receive, besides the wages he has earned, additional wages for two or four months more, accordingly as he may be discharged in a European or in a non-European port, but not more in amount than he would have received had he been discharged at the end of the voyage.

Moreover, he is entitled to free conveyance (Art. 517) to the port in which he was engaged, or, at the option of the master, to an equivalent compensation.

Article 546.—If the contract is for an amount in the lump, the earned wages (Art. 537, 539, 542, 544), and the one, two, or four monthly engagements (Art. 545) will be estimated in accordance with the stipulations of Article 519.

Article 547.—The seaman can demand his discharge if the master grossly violate his duties towards him, and especially if he illuse him, or, without cause, deny him food or drink.

The seaman who claims his discharge upon such grounds has the same rights as those conferred on him by Art. 545.

The laws of the country will determine whether the seaman is entitled to claim his discharge upon other grounds than those enumerated.

The seaman who desires to be discharged while in a foreign country may not leave the service without the authority of the consul (Art. 537).

Article 548.—In case the seamen be taken ill or receive any injury after commencing his duties, the owner of the vessel is to bear the expenses of nursing and curing him; viz.:—

1. In case the seaman, on account of illness or injury, is prevented from undertaking the voyage—up to the expiration of three months after he has been taken ill or injured.

2. In case he sets out and returns with the vessel to a German port, or the port in which he was engaged—up to the expiration of three months after the return of the vessel:

3. In case he sets out and returns with the vessel, such return voyage not ending in any of the abovenamed ports—for a period of six months after the return of the vessel:

4. If, during the voyage, it was found necessary to leave him on shore—for a period of six months after the continuation of the voyage.

Moreover, in the two latter cases, the seaman is entitled to a free conveyance to the port in which he was engaged, or, at the option of the owner, to an equivalent compensation.

Article

Article 549.—The sick or wounded seaman shall receive wages:—
If he does not sail out with the ship—up to the time when he left the service:—If he sails in and returns with the ship—up to the termination of the home voyage:—If it should be necessary to leave him on shore—up to the day on which he left the ship.

If the seaman has received injury in defending the vessel, he is besides entitled to a proper payment in compensation, which, if necessary, shall be fixed by a competent judge.

Article 550.—Articles 548 and 549 do not apply in the case of the seaman who contracts a disease or injury through illicit means, or is suffering from a syphilitic disease.

Article 551.—If the seaman dies after entering service, the owner is compelled to pay the wages earned (Article 546) up to the time of his death, and to bear all expenses of burial. If the seamen be killed in defending the ship, the owner is liable to pay compensation, which, if necessary, shall be fixed by a competent authority. The master shall, in the case of death occurring during the voyage, take charge and cause an inventory to be made of all the property left by the deceased seaman, and, if needs be, cause such property to be sold.

Article 552.—The directions given in Articles 548, 549, and 551, are equally applicable to the stipulation in Article 453.

Article 553.—The statutes shall define the conditions, without which no seaman shall be left in a foreign country against his will, as well as regulate the procedure which the master is to follow in such cases.

Article 554.—Any persons not belonging to the crew, but who are engaged as engineers, stewards, or in any other capacity, shall have the same *rights and duties* as are fixed in this law with regard to the crew.
No difference is to be made, whether they be engaged by the master or by the owner of the ship.

Article 555.—Any part of the *freightage* or profits allowed to the seaman shall not be considered as wages within the meaning of this Act.

Article 556.—It is reserved to the law to enlarge the provisions of this Act, both in respect to the freightage and profits aforenamed, as in other respects.

TENTH TITLE.—OF SHIPS' CREDITORS.

Article 764.—The ship's creditor who sues on his mortgage can proceed against the owner as well as the master, the latter even when the ship lies in the home port (Article 495).
The judgment obtained against the master in regard to the mortgage is equally effectual against the owner.

PRELIMINARY ACT to the GERMAN COMMERCIAL CODE of the 24th June 1861.

Article 56.—As to the rights of the seaman in respect to the hire, the following is enacted for the amplification of Articles 536 and 541 of the Commercial Code:—

Section 1.—If, on the completion of the out-voyage, one or more intermediate voyages be undertaken, the seaman may, at the first port where the ship discharge the whole or the greater part of her cargo, demand one-half of his wages earned up to that time, provided six months have elapsed since the commencement of the outward voyage. The payment must be made at the seaman's option, either in money or by drafts upon the owner, payable two days after sight. Likewise, at the end of any period of six months after the former payment, the seaman may again demand one-half of the wages earned since the last payment.

Section 2.—The increase of wages as relates to time bargains, referred to in Article 541, shall be as follows:—At the beginning of the third year the amount of wages fixed in the original contract shall be increased by one-fifth, and at the beginning of the fourth year by another fifth of the original amount. The wages of the ordinary seaman at the beginning of the third year shall rate as those of an able seaman, and the boys as those of an ordinary, in each case to enjoy the right of the aforesaid increase.

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ACT for the Enforcement of Discipline on Board Ship, of the 31st March 1841.

We, Frederick William, by the Grace of God, King of Prussia, &c. &c.

Inasmuch as the existing regulations in regard to discipline are deemed insufficient, we do hereby, upon the recommendation of our Ministers of State, and by the advice of the Council of State for the whole extent of our dominions, enact as follows:—

Section 1.—The crew of the ship is subject to the discipline of the captain (master) from the day upon which, conformably with the terms of the contract, it commences its duties on board. Each member of the crew is not only immediately and without remonstrance to comply with the instructions of the captain in regard to his duties on board, but to avoid doing anything which might lead to the disturbance of the general peace and harmony. The captain is especially bound to guard against any such contingencies.

Section 2.—In the case of impending danger to the ship, as well as in cases of mutiny or violence of the crew, the captain is empowered to take any steps he may deem necessary for enforcing obedience to his orders. He is in any case warranted, in accordance with the disciplinary power with which he is invested (Section 1), to inflict the following punishments:—

(*a.*) Fines, up to five thalers, for the benefit of the poor-box of the port of registry of the vessel.

(*b.*) Reduction in the scale of food.

(*c.*) Confinement up to eight days, if necessary, on bread and water.

(*d.*) Confinement in the hold of the ship, in fetters, not exceeding three days.

(*e.*) Corporal punishment.

It is left to the discretion of the captain to inflict such of the above penalties as the importance of the offence may justify. Corporal punishment may, however, only be inflicted under grave circumstances, when all other means of punishment have proved unavailable. It makes no difference in such a case whether the offender still belongs to the army or not.

Section 3.—The master shall enter, or cause to be entered, in the log-book every disciplinary penalty enforced by him, together with a statement of the nature of the offence, and the available evidence.

Section 4.—If any of the offences enumerated in the following clauses, Sections 5 to 8, be committed by any of the crew in cases where the ship is being got ready for sea in the roads of a home port, or is on the open sea, or in a foreign port or waters, the criminal punishments therein defined will prevail.

In dealing with those penalties any disciplinary punishment already undergone shall not be taken into consideration.

Section 5.—The seaman who refuses obedience to the repeated orders of the master shall be punished by imprisonment, with or without hard labour, from 14 days to 12 months.

Section 6.—Any seaman who resists the captain by force, or threatens to resist him by force, shall be punished by imprisonment, with or without hard labour, from two months to two years.

Section 7.—The penalty in Section 6 shall equally apply to any seamen who seeks to compel the captain by force or threats, or even by refusing to work, to do, or omit to do, any act relative to the guidance of the ship, or the control over the ship and cargo.

Section 8.—If two or more of the crew form together to compel the captain to commit such act or omission as aforesaid, the punishment stipulated in Section 6 may be doubled; if, however, a preconcerted plan be arranged for such purpose by the perpetrators, the instigator or ringleader shall be punished by penal servitude, from four to 12 years, and the remaining participators by hard labour or penal servitude, from two to five years.

Section 9.—The captain is empowered to put under arrest any seaman who commits any of the offences specified in Sections 5 to 8, or any other heavy offence. If the escape of a delinquent is feared, the captain is bound to do so.

Section 10.—The captain is bound, in every case of offence, to draw up a statement thereon, with the assistance of the mate, boatswain, carpenter, or any other credible persons, specifying everything which may affect the proof of such offence, and its ultimate punishment.

Section 11.—It is especially necessary, in cases of grave bodily assaults, that the nature of the wound or wounds of the injured person, and, if death ensues, the time at which such death took place, how long he lived after the assault, the nourishment that was given him,

him, and the remedies which were applied for his recovery, should be fully and correctly stated.

If there be a surgeon or doctor on board, such surgeon or doctor shall make an examination, in the presence of the persons specified in Section 10, and append his opinion, such as he can substantiate on oath, to the official log-book.

Section 13.—The delinquent shall be delivered into the custody of the competent authorities of the home port which is first reached, to whom the necessary statement (Sections 10 to 12) of the charges shall at the same time be communicated; and such authorities are bound to receive such delinquent, and direct an investigation to be made.

Section 14.—Should the captain find it dangerous to retain the offender until the reaches a home port, he is at liberty to hand him over to foreign jurisdiction for trial and punishment. He is, however, in that case to give notice of the matter, and his proceedings in reference thereto, to the proper authorities of the first place of landing at home.

Section 15.—The force of the evidence in support of the captain's charges as to offences, and especially as against instigators or participators in a mutiny, will be estimated according to the laws of the place in which the investigation takes place.

Section 16.—Any seaman who declines to assist the captain in cases of punishment or arrest, shall forfeit the whole of his wages; and, moreover, according to the nature of his delinquency, shall be punished as a promoter of, or an accomplice in, the offence.

Section 17.—If a passenger on board ship commit any offence, the same regulations shall apply as to his arrest, delivery, and conviction, as those above stipulated relating to offences by the crew.

Section 18.—In case the captain is prevented, his authority and responsibilities devolve upon the mate, and if he also is prevented, upon a further substitute; and the penalties specified in Sections 5 to 8, for offences committed against such substitutes, shall equally apply.

Section 19.—If, in the order of service, or by authority of the captain, a seaman be entrusted with the management of a special charge or service, any of the offences committed against him by his subordinates will likewise be punished according to Sections 5 to 8.

Section 20.—All general or particular regulations which are opposed to the spirit of this law are hereby annulled.

PENAL CODE for the PRUSSIAN STATES, of the 14th April 1851.

Section 244.—Any person who with a fraudulent intention sets fire to anything insured against fire, or causes the sinking or stranding of a ship which is insured herself, or has her cargo insured, is liable to be convicted to penal servitude for ten years, and a fine of from 100 to 2,000 thalers.

Section 254.—Any person who commits any of the following offences shall be punished by imprisonment, from one week up to three months:—

1. He who executes a false passport, falsifies a genuine passport, or knowingly makes use of such passport.

2. He who allows a passport to be drawn up in a false name by representing a passport drawn up in another name as his own, and wilfully makes use of it; or who allows another to make use of his passport, or is witness thereto, so that a passport under a false name is acted upon.

The same penalties apply if the foregoing offences are committed in regard to pass-books, or other documents of identity, which act in the place of passports.

Section 255.—Any person who commits any of the following offences shall be punished by imprisonment, from 14 days to six months:—

1. He who prepares in the name of any civil officer, or any competent officer, a certificate of good behaviour, poverty, or other circumstances, which are calculated to recommend the person therein mentioned to the goodwill of others, and to procure employment or pecuniary assistance from them.

2. He who falsifies an originally genuine certificate with a view to its use by another person than for whom it was drawn out.

3. He who knowingly makes use of such false or falsified certificate.

Section 278.—Any of the passengers or crew who without the master's knowledge, and likewise

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likewise the master, who, without the owner's knowledge, brings on board any articles which may endanger the ship by rendering her liable to confiscation or seizure, shall be punished by imprisonment, not exceeding two years.

Section 279.—Any seaman who deserts with his wages, or keeps in concealment, with a view to avoid the continuance of the service undertaken by him, shall be punished by imprisonment, not exceeding one year.

It makes no difference whether the offence be committed at home or abroad.

Section 303.—Any person who wilfully causes the stranding or sinking of a vessel, and thereby endangers the life of another, shall be punished by penal servitude, from 10 to 20 years; and if, in consequence of such act, any person lose their life, by the penalty of death.

If such act be committed through negligence, and any damage is caused thereby, imprisonment, not exceeding six months, may be inflicted; and if, in consequence of such act, any person lose their life, imprisonment from two months to two years.

ACT relating to the PUNISHMENT of MARINERS of PRUSSIAN MERCHANT SHIPS who avoid the Performance of the DUTIES undertaken by them, of the 20th March 1854.

We, FREDERICK WILLIAM, by the Grace of God, King of Prussia, &c., &c., with the consent of the Chambers, ordain as follows:—

Section 1.—Any seaman who, after concluding a contract of hire, absconds from a Prussian ship, or who keeps in concealment with a view to avoid performing his duties, in so far as he does not entail upon himself by such act the criminal punishment stipulated in the penal code, or *the law of the 31st March 1841, for the maintenance of discipline on board ship*, shall be punished by imprisonment, not exceeding six weeks, or by a fine, not exceeding 50 thalers. This law shall equally apply whether the punishable deed be committed at home or abroad.

Section 2.—The above indicated offences fall under the right of prescription within five years.

ACT relating to the Rights of the CREW on Board Ship, of the 26th March 1864.

We, WILLIAM, by the Grace of God, King of Prussia, &c., &c., do hereby, in order to amend the provisions of the German Commercial Code and its preliminary of the 24th June 1861, relating to the rights of the crew on board ship (Ges. S. S. 449), with the consent of both Houses of the Diet, for the whole extent of our dominions, ordain as follows:—

FIRST SECTION.—OF SEAMEN'S BOOKS.

Section 1.—Any person who wishes to enter service as seaman in any Prussian ship must have a seaman's book issued to him by the muster board (Section 12) of the port in which he first wishes to engage. It is required, before the seaman's book be given him, that he give proof of his name, native place, and age; and, if he be subject to paternal authority, or be under age, the consent of his father or guardian must be produced. By virtue of such consent, provided he has passed the age of 14, he shall be considered as of full age in concluding contracts of hire, and shall derive the same duties and rights therefrom. If, however, he be a minor, he can only appear in judicial proceedings with the actual concurrence of his father or guardian, or, if they do not reside within the district of the court in which the proceedings are instituted, the court shall, as the proper authority (*Litiskurator*), furnish him with legal assistance; and the father or guardian shall be informed of the particulars of the proceedings.

Section 2.—The seaman's book shall serve the seaman as a document of identity, and shall give information respecting each service he may enter.

Section 3.—The seaman's book must contain the name, native place, age, and description of the possessor, as well as his signature; at least 12 pages for the entry of each service, and, as an Appendix, a printed extract of the most important laws relating to the rights and duties of seamen on board ship.

Section 4.—If the seaman has been judicially punished, such punishment shall be entered in the seaman's book by the court.

Section 5.—Any seaman who wishes to obtain a fresh seaman's book must give satisfactory proof of the loss of the old one. An entry shall be made by the muster board in the seaman's book, stating that such book has been supplied to him in consequence of the loss of the

the one previously furnished, and also, what evidence the seaman may have given as to his blamelessness in the loss.

Section 6.—If the seaman's book be filled up, or, for other reasons, cannot any further be used, another shall be supplied him at his request. The muster board shall state in the book given up that another one has been issued, and in the latter book that it is framed in continuance of the first.

Section 7.—The making out of a first (Section 5) or second (Section 6) seaman's book shall devolve upon the muster-board of the port in which the seaman wants it for the purpose of making an engagement.

Section 8.—A form is to be used in connection with the issue of a seaman's book which can be obtained from the retailers of stamps at a cost of 12 sqr. 6 pf. He who desires a seaman's book issued to him shall submit such form, for the purpose of being filled up, to the muster board. No fees or stamps shall be charged for the issuing.

Section 9.—No person shall be allowed to enter service within German territory on board a Prussian ship unless he be provided with a seaman's book; and if such seaman's book shows that he has been mustered, he must prove the completion of his former engagement, which must be entered in the book.

Section 10.—A seaman who purposely does away with his seaman's book, and demands the issue of a new one, or who demands the issue of a new one, and conceals that he has had one issued to him previously, and, likewise, the captain who acts in opposition to the provisions of Section 9, shall be liable to a fine not exceeding 50 thalers, and, in default of means, to a corresponding term of imprisonment.

Section 11.—Every muster board is bound to keep a register of all seamen's books issued by it.

SECOND SECTION.—OF THE ISSUE OF THE MUSTER ROLL, AND THE MUSTERING AND FINAL MUSTERING.

Section 12.—The muster roll (Art. 529 of the German Commercial Code) of a Prussian ship shall be made out by the muster board of the port in which the crew is engaged. Each port shall have its special muster board, the majority of members composing it to be persons who are versed in navigation and have a knowledge of the service at sea.

In those places where it has not been possible to establish a muster board, the police office of the port shall act as muster board. The Minister of Commerce is empowered to establish muster boards and furnish them with the necessary instructions.

Section 13.—The mustering is to precede the issue of the muster roll. The mustering consists in the master or his substitute assembling the whole of the crew before the muster board, and declaring in their presence the terms of the contract of hire entered into between them.

The muster board must enter the terms of the contract in the muster roll, which must be signed by the master or his substitute and by each of the crew.

Section 14.—Each seaman must prove his personality by means of his seaman's book (Section 1). If it be requisite to specify some special qualifications which may be necessary for the service contracted for, such specification must also be entered.

If the foregoing regulations are not complied with, or if the muster board receive in regard to the validity of the contract of hire generally, or in particular cases, essential complaints as to the stipulations therein contained, the muster board shall refuse its co-operation at the mustering until a settlement is effected. The same applies when the muster board ascertains by means of an examination instituted by it, that the master does not possess the necessary ability, or when the regulations of the military service are opposed to the hiring of any particular seaman.

Section 15.—The mustering which has taken place must be entered by the muster board in the book of each seaman, and such entry shall at the same time serve him as a passport for departure.

Section 16.—The muster roll shall be made out by the muster board after the mustering takes place, and shall contain:—

1. The name and nationality of the ship.
2. The name and residence of the master.
3. The name, native place, and rating of each seaman.
4. The provisions of the contract of hire between the master and crew fully set out from the protocol.
5. The seal and authorised signature of the muster board.

Section 17.—If a crew has to be engaged afresh, a new muster roll must be made out.

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Section 18.—The mustering of a seaman who is engaged after the issue of the muster roll, shall take place, according to the provisions of Sections 13 to 15, before the muster board of the first port in which it can conveniently be effected.

The muster board shall enter such subsequently engaged seaman in the muster roll on the basis of the protocol of his muster, of which the captain receives a copy.

If a seaman withdraws from the service before the termination of the contract of hire, an entry thereof in the muster roll must be made by the muster board before whom the final mustering (Section 19) takes place, or, in default of such final mustering, by the muster board of the first port in which it can conveniently be done.

Section 19.—Upon the termination of the engagement a "mustering off" of the crew shall take place before the muster board of the port in which the discharge is effected. The "mustering off" consists in the declaration to the crew before the muster board, of the determination of the engagement, and the delivery to the muster board by the master of the muster roll.

On the final discharge the master shall state in the book of each seaman the length and nature of his services, which shall be legalised, and the "mustering off" attested by the muster board. The latter must try to effect a settlement if any dispute arise between the master and the crew.

The muster board shall draw up a short protocol in reference to the "mustering off," at which the master or crew need not assist.

Section 20.—If only one seaman be discharged, his mustering off must take place according to the provisions of the foregoing paragraph.

Section 21.—If in consequence of a disaster at sea the discharge of a seaman cannot be effected, the muster board of the first port in which it may be convenient shall, upon verifying the matter, note the termination of the service in the seaman's book.

Section 22.—In foreign countries the duties relating to the issue, enlargement, or amendment of the muster-roll, or the mustering or mustering off, in the place of the muster boards, devolve upon the consul specified in Article 537 of the Commercial Code. The legitimation, by means of the seaman's book, is not necessary in the case of any mustering abroad.

Section 23.—The master who, through neglect, cause a mustering to be omitted, shall be liable to a fine not exceeding 50 thalers, or, in default, to a corresponding term of imprisonment.

Section 24.—In the case of each mustering which takes place at home, the amount of costs to be paid by the master on account of the owner for each mustering, including the issue of the muster roll and its amendment if necessary, is, beyond the stamp dues, fixed at the rate of 7 sgr. 6 pf. for each seaman. The amendment of a muster roll without a mustering or a "mustering off," shall at home be effected free of costs and stamp dues.

THIRD SECTION.—OF THE RIGHTS AND DUTIES OF THE CREW ON BOARD SHIP.

In order to enlarge the provisions of the German Commercial Code in respect to Article 531 and those following, it is enacted as follows:—

Section 25.—To the First Paragraph of Article 531.

The seaman shall not leave the ship without the master's consent until the final mustering takes place. If such permission be given him, he must return at the appointed time, and if no time is fixed, before eight o'clock at night.

Section 26.—To the Second Paragraph of Article 531.

If, owing to any casualty or other circumstances, any seaman cannot be accommodated on board, he shall, in addition to his board, be entitled to be provided with a suitable accommodation elsewhere.

While on board ship the crew is entitled to a well-secured and sufficiently ventilated space, to serve only as their lodging room and for their effects. Such lodging room must, exclusively of the bunks, be at least 4½ feet high, and of such dimensions as to allow to each seaman 65 cubic feet of space, including the bunk. In regard to ships which have been built before this law was enacted, the stipulations herein mentioned shall not take effect until the 1st January 1866.

The minimum daily allowance of food and drink shall be determined by the local laws of the port in which the crew is shipped, and, in default of such laws, according to the customs of the said port. The district governments are empowered to decree such regulations. The protocol prepared by the muster board must show what daily allowance of food and drink is due to the seaman (Section 13). The seaman shall not use the victuals or drink supplied to him otherwise than to satisfy his own wants, and shall not dispose of or waste any part thereof. It is not admissible that the master undertake the victualling of the crew on his own account, unless he be sole owner of the ship.

Section 27.—To Article 532.

In Prussia disputes between the master and seaman arising after the mustering, concerning the commencement or continuation of the service, shall be decided by the muster board of the port in which the ship is lying, subject to the right of appeal to a court of law. In the meantime the decision of the muster board shall have effect until it be reversed by judicial decree.

Any seaman who deserts his ship shall forfeit all wages earned up to that time, without such forfeiture in any way affecting his responsibility for and loss that may be caused thereby.

Article 279 of the penal code, and the law of the 20th March 1854 (Ges. S. S. 137), are not interfered with by the above law.

Section 28.—To the First Paragraph of Article 533.

The seaman is compelled to obey absolutely the orders of the master in all work allotted to him in regard to ship and cargo. He is bound to discharge his duties to the best of his power, by day or by night, especially in regard to loading, stowing, discharging, fitting out, and repairing, as well on board ship as in her boats or lighters, or on land. If, however, the ship be lying in a protected harbour, the seaman is, except in urgent cases, not bound to work longer than 12 hours per day.

In cases of danger at sea, the seaman is bound to render every possible assistance to save the ship, cargo, or passengers. He may not leave the vessel without the master's consent as long as the latter remains on board.

Section 29.—To the Second Paragraph of Article 533.

The seaman shall strictly follow out the directions of the master for the maintenance of order and harmony on board ship. Any disobedience to those directions may be dealt with by the master in accordance with the provisions of the Act of the 31st March 1841 (Ges. S. S. 64).

Section 2 of aforesaid Act is amended as follows:—

In case of an impending danger to the ship, as well as in cases of mutiny or violence on the part of the crew, the captain (master) is entitled to take any measures he may deem justifiable for the purpose of enforcing obedience to his orders. He is empowered in any case to enforce his disciplinary authority (Section 1) as follows:—

(*a.*) Fines, not exceeding 50 thalers, for the benefit of the seamen's fund of the port of registry of the ship.
(*b.*) Reduction of food.
(*c.*) Confinement, not exceeding eight days, if necessary, on bread and water.
(*d.*) Confinement, not exceeding three days, in the hold of a ship, if necessary, in fetters.

The captain shall use his discretion as to which of the above penalties he may inflict according to the nature of the offence.

Any seaman who through improper conduct induces the captain to use bad language or violence towards him, shall be precluded thereby from seeking legal redress. The ship's boys are subject to the paternal correction of the captain.

In case the captain is prevented from attending to his duties, his substitute, upon whom the disciplinary authority devolves, shall have the same rights as the captain in regard to the crew (Section 18 of the Act of the 31st March 1841).

Section 30.—To the Second Paragraph of Article 533.

The captain shall have the book of each seaman under his charge until the termination of the voyage. He is compelled at the expiration of the voyage to grant a certificate of conduct to any seaman who may request it, such certificate, however, must not be entered in the seaman's book. The signature shall be legalised by the muster board. If the certificate contain any charge against the seaman, the muster board shall, at his request, institute an inquiry, and state the result thereof on the certificate. The certificate of conduct, including the legalisation, is free of stamp dues.

A copy of the most important regulations affecting the rights and duties of the crew on board ship shall, on each ship, be kept accessible to the inspection of the crew (Section 3).

Section 31.—To Article 534.

Any seaman who, in contravention of Art. 534, brings on board any goods or spirituous liquors, or more tobacco than he requires for his own use, shall forfeit the amount of one month's wages, for the benefit of the poor fund of the port in which the muster roll was made out, or, in the absence of such fund, for the benefit of the local poor fund of such port. Art. 546 of the German Commercial Code shall apply where wages are stipulated in the lump. Art. 278 of the penal code is not affected by the present law.

Appendix, No. 10.

Section 32.—To Article 536.

The master shall deliver to the seaman, prior to the commencement of the voyage, an account book in which he must enter any payment made in advance, or on account of wages.

Section 33.—To Article 542.

In the case of the loss of a ship, the seaman must not quit the master without the latter's consent, until all attempts to save her or her cargo have been terminated, and the protest duly executed.

Section 34.—To the Third Paragraph of Article 547.

The seaman may claim his discharge if he find an opportunity to attain the command of a ship which he would lose by continuing in the service, or if he have to pass an examination as master or mate; in neither of those cases, however, may his discharge be granted, unless he provide a suitable substitute, who will undertake to engage on the same conditions. The seaman who obtains his discharge on the aforesaid grounds shall only be entitled to receive the wages earned up to the time of such discharge.

Section 35.—To Article 553.

The master may not leave a Prussian seaman abroad, against his will, unless with the consent of the consul, indicated in Article 537 of the Commercial Code, and, in any case, without prejudice to the provisions of Section 14 of the law of the 31st March 1841. The consul may grant such permission only when the discharge is justifiable on legal grounds, and the master can show that an urgent necessity exists for his removal, and that thereby he will not become distressed.

SPECIAL REGULATIONS for HANOVER and SCHLESWIG-HOLSTEIN.

1. The necessary forms for the issue of the seaman's books (Section 8 of the foregoing law of the 26th March 1864) may be procured in Hanover from the muster boards there existing.

2. The regulations as to the dimensions of the lodging room, in the second paragraph of Section 26 of the foregoing law of the 26th March 1864, shall not take effect for ships having their port of registry in Hanover, and which have been built prior to the issue of the decree of the 24th June 1864, and for ships having their port of registry in Schleswig-Holstein, when those have been built prior to the 30th September 1867, until the 1st January 1869.

3. The power given to district governments according to the third paragraph of Section 26 of the aforesaid law, to issue local regulations as to the food and drink to be allotted to seamen, shall, in Hanover, in such places where no district government exist, be vested in the high bailiff.

COPYRIGHT COMMISSION.

THE

ROYAL COMMISSIONS

AND THE

REPORT OF THE COMMISSIONERS.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1878.

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THE COMMISSIONS.

VICTORIA, R.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To Our Right Trusty and Right Wellbeloved Cousin, Philip Henry, Earl Stanhope, —Our Right Trusty and Right Wellbeloved Cousin, Archibald Philip, Earl of Rosebery,—Our Trusty and Wellbeloved Robert Bourke, Esquire, (commonly called the Honourable Robert Bourke,)—Our Trusty and Wellbeloved Sir Charles Lawrence Young, Baronet,—Our Trusty and Wellbeloved Sir Henry Thurstan Holland, Baronet, Companion of Our Most Distinguished Order of Saint Michael and Saint George,—Our Trusty and Wellbeloved Sir John Rose, Baronet, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George,—Our Trusty and Wellbeloved Sir Henry Drummond Wolff, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George,—Our Trusty and Wellbeloved Sir Louis Mallet, Knight Companion of Our Most Honourable Order of the Bath,—Our Trusty and Wellbeloved Sir Julius Benedict, Knight,—Our Trusty and Wellbeloved Thomas Henry Farrer, Esquire,—Our Trusty and Wellbeloved James Fitzjames Stephen, Esquire, One of Our Counsel Learned in the Law,—Our Trusty and Wellbeloved Farrer Herschell, Esquire, One of Our Counsel Learned in the Law,—Our Trusty and Wellbeloved William Smith, Esquire, Doctor of Civil Law,—Our Trusty and Wellbeloved Henry Jenkins, Esquire,—and Our Trusty and Wellbeloved Frederic Richard Daldy, Esquire, Greeting:

Whereas We have deemed it expedient, for divers good causes and considerations, that a Commission should forthwith issue, to make Inquiry with regard to the Laws and Regulations relating to Home, Colonial, and International Copyright.

Now know Ye that We reposing great Trust and Confidence in your Ability and Discretion have nominated, constituted, and appointed and do by these Presents nominate, constitute, and appoint you the said Philip Henry, Earl Stanhope—Archibald Philip, Earl of Rosebery—Robert Bourke—Sir Charles Lawrence Young—Sir Henry Thurstan Holland—Sir John Rose—Sir Henry Drummond Wolff—Sir Louis Mallet —Sir Julius Benedict—Thomas Henry Farrer—James Fitzjames Stephen—Farrer Herschell—William Smith—Henry Jenkins—and Frederick Richard Daldy—to be Our Commissioners for the purposes of the said Inquiry.

And for the better enabling you to carry Our Royal Intentions into effect, We do by these Presents authorise and empower you, or any five or more of you, to call before you, or any five or more of you, such persons as you may judge necessary, by whom you may be the better informed of the matters herein submitted for your consideration, and also to call for and examine all such Books, Documents, Papers, or Records as you shall judge likely to afford you the fullest information on the subject of this Our Commission, and to Inquire of and concerning the Premises by all other lawful ways and means whatsoever.

And Our further Will and Pleasure is, that you, or any five or more of you, do Report to Us, under your Hands and Seals (with as little delay as may be consistent with a due discharge of the duties hereby imposed upon you) your opinion on the several matters herein submitted for your consideration, with power to certify unto Us from time to time your several proceedings in respect of any of the matters aforesaid, if it may seem expedient for you so to do.

And We do further Will and Command, and by these Presents ordain, that this Our Commission shall continue in full force and virtue, and that you Our said Commissioners, or any five or more of you, shall and may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And for your assistance in the execution of these Presents, We do hereby authorise and empower you to appoint a Secretary to this Our Commission to attend you, whose services and assistance we require you to use from time to time as occasion may require.

Given at Our Court at Saint James's, the Sixth day of October 1875, in the Thirty-ninth year of Our Reign.

By Her Majesty's Command,

(Signed) RICHD. ASSHETON CROSS.

VICTORIA, R.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To Our Right Trusty and Wellbeloved Councillor, John James Robert Manners (commonly called Lord John James Robert Manners)—Our Right Trusty and Right Wellbeloved Cousin and Councillor, William Reginald, Earl of Devon,—Our Trusty and Wellbeloved Sir Charles Lawrence Young, Baronet,—Our Trusty and Wellbeloved Sir Henry Thurstan Holland, Baronet, Companion of Our Most Distinguished Order of Saint Michael and Saint George,—Our Trusty and Wellbeloved Sir John Rose Baronet, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George,—Our Trusty and Wellbeloved Sir Henry Drummond Wolff, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George,—Our Trusty and Wellbeloved Sir Louis Mallet, Knight Commander of Our Most Honourable Order of the Bath,—Our Trusty and Wellbeloved Sir Julius Benedict, Knight—Our Trusty and Wellbeloved Farrer Herschell, Esquire, One of Our Counsel Learned in the Law,—Our Trusty and Wellbeloved Edward Jenkins, Esquire,—Our Trusty and Wellbeloved James Fitzjames Stephen, Esquire, One of Our Counsel Learned in the Law,—Our Trusty and Wellbeloved William Smith, Esquire, Doctor of Civil Law,—Our Trusty and Wellbeloved James Anthony Froude, Esquire,—Our Trusty and Wellbeloved Anthony Trollope, Esquire,—and Our Trusty and Wellbeloved Frederick Richard Daldy, Esquire, Greeting:

Whereas We did by Warrant under Our Royal Sign Manual, bearing date the Sixth day of October One thousand eight hundred and seventy-five, appoint Our Right Trusty and Right Wellbeloved Cousin, Philip Henry, Earl Stanhope (since deceased), together with Our Right Trusty and Right Wellbeloved Cousin Archibald Philip, Earl of Rosebery, and the several Gentlemen therein named, to be Our Commissioners to make Inquiry with regard to the Laws and Regulations relating to Home, Colonial, and International Copyright.

Now know Ye that We have Revoked and Determined, and do by these Presents Revoke and Determine, the said Warrant, and every Matter and Thing therein contained.

And whereas We have deemed it expedient that a new Commission should issue to make Inquiry with regard to the Laws and Regulations relating to Home, Colonial, and International Copyright.

And further know ye, that We, reposing great Trust and Confidence in your Knowledge and Ability, have authorised and appointed, and do by these Presents authorise and appoint you the said John James Robert Manners (commonly called Lord John James Robert Manners)—William Reginald, Earl of Devon,—Sir Charles Lawrence Young—Sir Henry Thurstan Holland—Sir John Rose—Sir Henry Drummond Wolff—Sir Louis Mallet—Sir Julius Benedict—Farrer Herschell—Edward Jenkins—James Fitzjames Stephen—William Smith—James Anthony Froude—Anthony Trollope—and Frederick Richard Daldy, to be Our Commissioners for the purposes of the said Inquiry.

And for the better enabling you to carry Our Royal Intentions into effect, We do by these Presents authorise and empower you, or any five or more of you, to call before you such persons as you may judge necessary, by whom you may be better informed of the matters herein submitted for your consideration, and also to call for and examine all such Books, Documents, Papers, or Records as you shall judge likely to afford you the fullest information on the subject of this Our Commission, and to Inquire of and concerning the Premises by all other lawful ways and means whatsoever.

And Our further Will and Pleasure is, that you, or any five or more of you, do report to Us, under your Hands and Seals (with as little delay as may be consistent with a due discharge of the Duties hereby imposed upon you) your opinion on the several matters herein submitted for your consideration, with power to certify unto Us from time to time your several proceedings in respect of any of the matters aforesaid, if it may seem expedient for you so to do.

And We do further Will and Command, and by these Presents Ordain, that this Our Commission shall continue in full force and virtue, and that you Our said Commissioners, or any five or more of you, shall and may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment.

And for your assistance in the execution of these Presents, We do hereby authorise and empower you to appoint a Secretary to this Our Commission to attend you, whose services and assistance We require you to use from time to time as occasion may require.

Given at Our Court at Saint James's, the Seventeenth day of April 1876, in the Thirty-ninth Year of Our Reign.

By Her Majesty's Command,

(Signed) RICHD. ASSHETON CROSS.

REPORT OF THE COMMISSIONERS.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

WE, Your Majesty's Commissioners, appointed to make inquiry with regard to the laws and regulations relating to Home, Colonial, and International Copyright, humbly submit to Your Majesty this our Report—

1. We deem it expedient to consider the Home, Colonial, and International divisions of the subject, in the order in which they are mentioned in Your Majesty's Commission, and thus first to notice

HOME COPYRIGHT.

2. The first object to which we directed our attention in relation to Home Copyright, was to obtain a clear and systematic view of the law in force upon the subject in this country.

3. We find that it relates to copyright in seven distinct classes of works, namely,—

(1.) Books;
(2.) Musical compositions;
(3.) Dramatic pieces;
(4.) Lectures;
(5.) Engravings and other works of the same kind;
(6.) Paintings, drawings, and photographs; and
(7.) Sculpture.

4. The law as to copyright in designs did not appear to us to fall within the terms of Your Majesty's Commission. It differs in many important particulars from the other matters which we have mentioned, and it has been recently made the subject of legislation.

5. The law of England, as to copyright in the matters above enumerated, consists partly of the provisions of fourteen Acts of Parliament, which relate in whole or in part to different branches of the subject, and partly of common law principles, nowhere stated in any definite or authoritative way, but implied in a considerable number of reported cases scattered over the law reports.

6. Our colleague, Sir James Stephen, has reduced this matter to the form of a Digest, which we have annexed to our Report, and which we believe to be a correct statement of the law as it stands. See *post.*

7. The first observation which a study of the existing law suggests is that its form, as distinguished from its substance, seems to us bad. The law is wholly destitute of any sort of arrangement, incomplete, often obscure, and even when it is intelligible upon long study, it is in many parts so ill-expressed that no one who does not give such study to it can expect to understand it.

8. The common law principles which lie at the root of the law have never been settled. The well-known cases of *Millar* v. *Taylor*, *Donaldson* v. *Becket*, and *Jeffries* v. *Boosey*, ended in a difference of opinion amongst many of the most eminent judges who have ever sat upon the Bench.

Millar v. *Taylor*, 4 Burr 2303. *Donaldson* v. *Becket*, 2 Bro. Parl. Ca. 129; 4 Burr. p. 2408. *Jeffries* v. *Boosey*, 4 H.L. C. 815.

9. The fourteen Acts of Parliament which deal with the subject were passed at different times between 1735 and 1875. They are drawn in different styles, and some are drawn so as to be hardly intelligible. Obscurity of style, however, is only one of the defects of these Acts. Their arrangement is often worse than their style. Of this the Copyright Act of 1842 is a conspicuous instance.

5 & 6 Vict. c. 45.

10. The piecemeal way in which the subject has been dealt with affords the only possible explanation of a number of apparently arbitrary distinctions between the provisions made upon matters which would seem to be of the same nature. Thus—

5 & 6 Vict. c. 45. s. 3.

(*a.*) The term of copyright in books, and in printed and published dramatic pieces and music, is the life of the author and seven years after his death, or 42 years from the date of publication, whichever is the longer.

3 Wm. IV. c. 15. s. 1, and 5 & 6 Vict. c. 45. s. 20. 5 & 6 Wm. IV. c. 65.

(*b.*) The term of copyright in music not printed and published but publicly performed is doubtful, and may perhaps be perpetual.

(*c.*) The term of copyright in a lecture not printed and published but publicly delivered is wholly uncertain. The term of copyright in a lecture printed and published is the longer of the two periods of 28 years and the life of the author. It may perhaps be doubted whether the term of copyright in a book consisting of a collection of lectures would differ from the term of copyright in other books.

Engravings, 7 Geo. III. c. 38. s. 6; *Paintings,* 25 & 26 Vict. c. 68. s. 1; *Sculpture,* 54 Geo. III. c. 56.

(*d.*) The term of copyright in engravings, &c. is 28 years from publication; in paintings, &c., the artist's life and seven years; in sculpture, 14 years from the first "putting forth or publishing" of the work (an indefinite phrase), 14 years more being given to the sculptor if he is living at the end of the first term.

11. Other singular distinctions exist as to the law relating to registration of copyrights. No system of registration is provided for dramatic copyright, or for copyright in lectures or engravings. Such a system is provided for copyright in books and paintings, but its effect varies. Registration must in either case precede the taking of legal proceedings for an infringement of copyright, but after registration the owner of copyright in a book may, while the owner of copyright in a painting may not, sue the persons who infringed his copyright before registration.

Books, 5 & 6 Vict. c. 45. ss. 13, 24; *Paintings,* 25 & 26 Vict. c. 68. s. 4.

12. The law is not only arbitrary in some points, but is incomplete and obscure in others. The question whether there is such a thing as copyright at common law, apart from statute, has never been decided, and has several times led to litigation. Some sort of copyright has been recognized in newspapers, but it is impossible to say what it is. It has been decided on the one hand that a newspaper is not a "book," within the meaning of the Copyright Act of 1842, and on the other hand that there is some sort of copyright in newspapers, yet the courts have always leant to the opinion that there is no copyright independent of statute;—at all events they have never positively decided that there is.

Cox v. Land and Water Company, L.R. 9 Eq. 324.

13. Upon all these grounds we recommend that the law on this subject should be reduced to an intelligible and systematic form. This may be effected by codifying the law, either in the shape in which it appears in Sir James Stephen's Digest, or in any other which may be preferred; and our first, and, we think, one of our most important, recommendations is that this should be done. Such a process would, amongst other things, afford an opportunity for making such amendments in the substance of the law as may be required.

14. We now proceed to discuss the subject in detail, following the order of the Digest, and with reference to it. In the margin of the Digest we have, wherever it was practicable, noted the alterations which we recommend, so that it shows both what the law in our opinion is, and what in our opinion it ought to be.

Unpublished Works.

15. With respect to unpublished documents or works of art, we do not suggest any alteration in the law.

Necessity for Copyright.—The Royalty System.

16. With reference to copyright generally, we do not propose to enter upon the history of the Copyright Laws, nor to discuss the various questions that have from time to time been raised in connexion with the principle involved in those laws. It is sufficient for the present purpose to refer to the above-mentioned cases of *Millar* v. *Taylor*, *Donaldson* v. *Becket*, and *Jeffries* v. *Boosey*, and to the debates that have taken place in Parliament, in which the arguments on one side and the other are fully set forth. Taking the law as it stands, we entertain no doubt that the interest of

authors and of the public alike requires that some specific protection should be afforded by legislation to owners of copyright; and we have arrived at the conclusion that copyright should continue to be treated by law as a proprietary right, and that it is not expedient to substitute a right to a royalty defined by statute, or any other right of a similar kind.

17. We make special reference to a system of royalty, because, in the course of our inquiry, it has been suggested that it would be expedient in the interest of the public, and possibly not disadvantageous to authors, to adopt such a system in lieu of the existing law of copyright; and although the change has hardly been seriously urged upon us as a practical measure, except by one witness, it is of so important a character that we desire to offer a few observations upon it. Questions 2706–2777.

18. The royalty system may be briefly described as a system under which the author of a work of literature or art, or his assignee, would not have the exclusive right of publication, but any person would be entitled to copy or republish the work on paying or securing to the owner a remuneration, taking the form of a royalty or definite sum prescribed by law, payable to the owner for each copy published.

19. The principal reason urged for the adoption of this system is the benefit that it is supposed would arise to the public from the early publication of cheap editions. It is now the usual practice of publishers of the best class of literary works to publish first an expensive edition, then, after a period of greater or less duration, according to the sale of the work, an edition at a medium price, and finally, but often a good many years later, what are called popular editions at low prices. The advocates of the royalty system say that, if it were adopted, the competition that would arise would compel the original publishers to publish at cheap prices;—that thus the public would be able to procure books at once which, under the present system, are kept beyond their reach by high prices;—and that the advantage to authors would be as great or greater than it now is, since an extended sale might be expected to follow publication at lower prices, and the royalty would be paid them even though their works proved failures in a commercial point of view. Questions 2714 and 3933, p. 210.

20. The opponents of the system say that it is notorious that where one book pays the publisher for his outlay and risk, many are complete failures and never pay even the cost of publishing;—that, if the royalty system were established, no publisher would take the risk of the first publication, knowing that, if the work proved successful, he would immediately have his reward snatched from his grasp by the numerous publishers who would republish and undersell him;—that it would be impossible for publishers to remunerate authors at the rate they do now;—that authors would lose the fair remuneration they now obtain, and would often be deterred from writing;—and that many works, especially those involving long preparation and large cost to the author or publisher, which would be published under the present system, could never be brought out, on account of the increased risk that would ensue from the royalty system. Questions 4799, 4447, 4730–9, 4833–4866, 5557–5559. 4424, 4732–5, 5221, and 5608. 4742, 5257, and 5608.

21. To meet these objections it has been suggested that there should be a limited period from first publication, and that during such period republication by any person, other than the author and publisher, should not be allowed. Question 2725.

22. We have thus briefly noted some of the arguments for and against the royalty system, but we think it unnecessary to discuss the subject in greater detail, or to point out the practical difficulties which the introduction of such a scheme would necessarily involve, or how those difficulties might possibly be more or less obviated, because we are unable, after carefully considering the subject, to recommend for adoption this change in the existing law. We venture to add, in confirmation of our view, that while the principle of copyright has been recognized in almost every foreign State, in no one country has the system of royalty been adopted, except in a modified form in Italy, as pointed out in paragraph 39.

The Term of Copyright.—Books.

23. The term of copyright is the next subject to which our attention has been called. We have already used this as an illustration of the anomalies and distinctions which have grown up in the law of copyright. The term of copyright in books is for the life of the author and seven years after his death, or for 42 years from the date of publication, whichever period may happen to expire last. 5 & 6 Vict. c. 45. s. 3.

24. We purpose for the present to confine our remarks to copyright in books and other literary works comprehended under that term—that is to say, "every volume, 5 & 6 Vict. c. 45. s. 2.

"part or division of a volume, pamphlet, sheet of letter-press, sheet of music, map, "chart, or plan, separately published."

25. It has been urged against the present regulations for the term of copyright in books—1st. That the period is not long enough:—2ndly. That copyrights in works by the same author generally expire at different dates:—3rdly. That, owing to the difficulty of verifying the date of publication, it is scarcely possible to ascertain the termination of the copyright. In addition to these objections, others have been stated which it is needless for us to specify in this place.

26. We have already stated that we consider some kind of protection in the nature of copyright desirable; and it appears to us that the existing terms are not more than sufficient, if indeed they are sufficient, to secure that adequate encouragement and protection to authors which the interests of literature, and therefore of the public, alike demand from the State. We proceed, therefore, to call attention to the three objections, above mentioned, to the present duration of copyright.

Questions 227, 274, 809–811, 4833–4857.

27. First, the period is said not to be long enough. The chief reasons for this assertion are that many works, and particularly those of permanent value, are frequently but little known or appreciated for many years after they are published, and that they do not command a sale sufficient to remunerate the authors until a considerable part of the term of copyright has expired. Some works, as, for instance, novels by popular authors, command an extensive sale and bring to the authors a large remuneration at once, but the case is altogether different with others, such as works of history, books of a philosophical or classical character, and volumes of poems. In some instances works of these kinds have been known to produce scarcely any remuneration, until the authors have died and the copyrights have nearly expired. It is also urged that in the case of many authors who make their living by their pens, their families are left without provision shortly after their deaths, unless their works become profitable very soon after they are written.

28. These arguments and others of a like kind, which will be found not only in the evidence we have taken, but in the debates in Parliament, are in our opinion of great weight, but on the other hand we do not lose sight of the public interest, which, it has been urged upon us, would be prejudiced by prolongation of copyright. Greater freedom of trade and competition are said to be desirable, that books may be more abundant in supply and cheaper in price.

Questions 2882–2884, 5561–5566.

29. The second objection to the present duration of copyright is, that copyrights belonging to the same author generally expire at different dates. That it is well founded is manifest, for if an author writes several works, or one work in several volumes which are published at different times, as is frequently the case, the copyrights will expire forty-two years from the respective dates of publication, unless the author happens to live so long that the period of seven years after his death is beyond forty-two years from the publication of his latest work or volume.

Question 277.

30. Under the present system, moreover, copyright in an earlier edition expires before copyright in the amendments in a later edition of the same work. We have had evidence that in one case the first and uncorrected edition of an important work was republished before the expiration of the copyright in the later and improved editions. But if the alteration in the existing term of copyright, which we suggest hereafter, were adopted, namely, that it should be for the life of the author and a fixed number of years after his death, all the copyrights of the same author would expire at the same date, and it would then be open to any publisher to put out a complete edition of all the author's works, with all the improvements and emendations which have appeared in the last edition, in a uniform shape and at a uniform price.

Questions 634–637, 661, and 799.

31. The third objection to the present duration of copyright is that it is frequently difficult, if not impossible, to ascertain its termination, owing to the fact that the expiration of the period depends upon the time of publication. It is in most cases easy to ascertain the date of a man's death, but frequently impossible to fix with any certainty the date of the publication of a book. Under the present law it is uncertain what constitutes publication; but whatever may be a publication sufficient in law to set the period of copyright running, it generally takes place in such a manner that the precise date is not noted even if known. It is sometimes said that the date printed in the title page of a book should be considered the date of publication, but books are frequently post-dated, and in many cases bear no date at all. This objection is one which, in our opinion, should be removed.

32. The remedy which suggests itself to us as the most likely to effect all the desired objects is, that instead of the period of copyright being, as at present, a certain number of years from publication, it should last for the life of the author and a fixed number of years after his death.

33. We have been influenced in advising this change in the law by the consideration that it will have the effect of assimilating the term of copyright in books to that of copyright in works of fine art, the duration of which, for reasons to be hereafter stated, is for the life of the author and a certain number of years after his death. And further, as this mode of computing the duration of copyright has been adopted by the great majority of foreign countries, the change in our law may facilitate the making of international copyright arrangements with other States.

34. Before proceeding further on this point we think it right to notice a suggestion that has been made to us, on the assumption that the duration of copyright would continue to be for a fixed period of years. It has been proposed that, instead of the present term of 42 years from publication, the original right should last for 28 years only, but that it should be renewable for a further period of 14 or 28 years by re-registration by the author or his personal representatives; and this is, we learn, the law in the United States and Canada. The reasons advanced for this proposal are, that if copyrights are sold, publishers, as a rule, will not give more for the whole of the present term of 42 years than they would if there were only 28 years that they could purchase; that authors could thus, without any pecuniary loss, sell their copyrights for the first period only, and, if their works proved of great and lasting value, would not have finally parted with all their interest, but would be entitled to the second term of 14 years, by which they or their families would receive a due reward for their labours. Questions 974–996, 1523–1592 2907–2922.

35. There is, no doubt, considerable force in the argument, but we would observe that the advantages held out by the change of law would not be secured unless, first, the copyright is sold, and secondly, the author is debarred by law, not only from selling, in the first instance, more than the copyright in the term of 28 years, but even from giving any binding undertaking to secure to the purchaser, either by re-registration or otherwise, the advantages of the subsequent term of 14 years.

36. Now, whatever may be the practice in the United States and Canada, we are satisfied from the evidence that in this country many authors do not sell their copyrights, and in such cases no advantage would arise from the proposed change. And, with respect to the second point, we are not satisfied that the advantages expected from the scheme counterbalance the disadvantage of interfering by law with freedom of contract. Questions 313–316, 2777, and 5555.

37. Should our suggestion, that copyright in future should endure for the life of the author and a fixed number of years after his death, be adopted, the proposal to divide the present, or any other fixed term is of course inapplicable.

38. Assuming, therefore, that the duration of copyright is to be for the life of the author and a certain number of years after his death, we have next to consider what the number of years should be. According to the existing law, the period in the case of books is life and seven years or 42 years from publication, if that period is the last to expire; and the period for copyright in paintings, drawings, and photographs has been fixed at life and seven years.

39. We find considerable variety in the terms fixed in other countries, but putting aside the United States, which seem to have adopted our existing term with modifications, we find that the more important nations have adopted terms longer than our own. Thus, the term in France is the life of the author and 50 years; in Belgium, life and 20 years; in Germany, life and 30 years; in Italy, life and 40 years, with a second term of 40 years, during which other persons than the proprietor may publish a work on payment of a royalty to him; in Russia, life and 50 years; in Spain, life and 50 years; in Portugal, life and 50 years; and in Holland, life and 20 years. These terms are subject to sundry modifications and conditions which it is unnecessary for us to enter into, but while we consider it expedient that the existing term of copyright should be altered, we think that the terms fixed by the nations we have referred to are in some cases excessive and unnecessary.

40. Upon the whole we suggest the term adopted by Germany, viz., life and 30 years, as most suitable for Your Majesty's dominions. We are, however, of opinion that, in the event of an international agreement being concluded, by which a common term Questions 286–288 and 810.

is fixed for copyright in all countries, power should be given to Your Majesty to adopt, by Order in Council, in lieu of the above term of life and 30 years, the term fixed by such international arrangement.

41. We further suggest that in the case of posthumous and anonymous works and of encyclopædias, the period should be 30 years from the date of deposit for the use of the British Museum. In the case of anonymous works the author should be allowed, during the period of 30 years, by printing an edition with his name attached, to secure the full term of life and 30 years.

42. Should these suggestions be adopted, we think that it would be desirable that copyrights in existence at the time of the passing of the Act should be extended, subject to a proviso like the one contained in section 4 of the Copyright Act of 1842, guarding against the alteration of existing contracts between authors and publishers. In no case should the duration of existing copyrights be abbreviated.

5 & 6 Vict. c. 45.

43. One other point relating to the term of copyright remains, to which we wish to call attention. It has been provided that in the case of encyclopædias, reviews, magazines, periodical works, and works published in a series of books, or parts, for which various persons are employed by the proprietor to write articles,—if the articles are written and paid for on the terms that the copyright therein shall belong to the proprietor of the work, the same rights shall belong to him as to the author of a book, except in one particular, in which particular a difference is made between essays, articles, or portions of reviews, magazines, or other periodical works of a like nature and articles in encyclopædias. In the case of the former (but not of encyclopædias) a right of separate publication of the articles reverts to the author after 28 years for the remainder of the period of copyright, and during the 28 years the proprietor of the work cannot publish the articles separately without the consent of the author or his assigns. Authors can, however, by contract reserve to themselves during the 28 years a right of separate publication of the articles they write, in which case the copyright in the separate publication belongs to them, but without prejudice to the rights of the proprietor of the magazine or other periodical. We think some modification in this provision is required as regards the time when the right of separate publication should revert to the authors of the articles, and that three years should be substituted for twenty-eight. As we have reason to believe that proprietors of periodicals have not, as a rule, insisted on the right given them by the existing law, we think there would be no objection to making this provision retrospective.

5 & 6 Vict. c. 45. s. 18.

Question 2865.

44. It has been pointed out to us that, under the existing law, the author of an article in a magazine or periodical cannot, until the right of separate publication reverts to him, take proceedings to prevent piracy of his work; so that, unless the proprietor of the magazine or periodical be willing to take such proceedings (which may very likely not be the case when the right of the author is about to revive), the result would practically be to deprive the author of the benefit of the right reserved to him. We recommend, therefore, that during the period before the right of separate publication reverts to the author, he should be entitled, as well as the proprietor of the magazine or periodical, to prevent an unauthorised separate publication.

University Copyright.

45. In connexion with the subject of the term of copyright we have to notice the perpetual copyrights possessed by certain universities and schools, which form exceptions to the general law by which copyright is limited to a definite number of years.

Steph. Dig., Arts. 11&12.

46. We find that the Universities of Oxford, Cambridge, Edinburgh, Glasgow, St. Andrews, and Aberdeen, each college or house of learning at the Universities of Oxford and Cambridge, Trinity College, Dublin, and the colleges of Eton, Westminster, and Winchester have for ever the sole liberty of printing and reprinting all such books as have been, or hereafter may be bequeathed or given to them, or in trust for them by the authors thereof, or by their representatives, unless they were given or bequeathed for a limited term.

47. To ascertain the value of this exceptional right to the institutions interested, we communicated with the authorities at the Universities of Oxford and Cambridge, and asked the number of copyrights possessed by them in perpetuity under this provision of the law. We found that the University of Oxford possesses six copyrights and that the University of Cambridge has none.

48. This fact shows that the privilege, which is by no means of recent origin, is of very little real value, and as it is undesirable to continue any special and unusual kinds of copyright, we are of opinion that this exceptional privilege should be omitted from the future law. We do not, however, think it would be right to deprive the institutions above named of the copyrights they already possess, without their consent, but should they be retained, we suggest that the universities and other institutions should be placed upon the same footing as regards the protection of their copyrights as other copyright owners, and that the exceptional penalties and remedies given by the Act which was passed in the 15th year of the reign of his late Majesty King George III. should be repealed. Steph. Dig. Art. 31.

Place of Publication.

49. We now desire to call attention to the place of publication, as it affects the obtaining of copyright in the United Kingdom.

50. And first we have to notice publication in the colonies, as to which it appears the present state of the law is anomalous and unsatisfactory.

51. Copyright in the United Kingdom extends to every part of the British dominions, but if a book be published first in any part of the British dominions other than the United Kingdom, the author cannot obtain copyright, either in the United Kingdom or in any of the colonies, unless there is some local law in the colony of publication under which he can obtain it within the limits of that colony. Steph. Dig. Art. 7. Questions 100–115 and 398–401.

52. It is obvious that if by Imperial Law copyright is to be enforced in the colonies, while at the same time first publication in the United Kingdom is a condition of obtaining it, the colonies are not treated on fair and equal terms, and that there is just ground of complaint on the part of colonial authors and publishers.

53. In truth a colonial author is placed even in a worse position than a foreign author who is the subject of a country with which we have an international copyright convention. For example, a French author can publish in France, and subsequently, upon the performance of certain conditions, such as registration, secure himself against piracy of his work throughout the British Empire, while the colonial author can neither secure his property in the United Kingdom nor France, unless he first publishes in the United Kingdom. Steph. Dig. Chap. VI.

54. Three ways of remedying this inequality present themselves: either, (1) the Imperial Act, and the rights under it, may be limited to the United Kingdom; or, (2) the same rights throughout Your Majesty's dominions may be given to British subjects, whether the work is first published in the United Kingdom or in any colony; or, (3) the benefits of Imperial copyright may be freely thrown open to all authors, without regard to nationality or prior publication elsewhere, who publish within the British dominions.

55. Upon consideration we are not disposed to recommend the first alternative. If the subject had now to be approached for the first time, it might be thought desirable, looking to the existing relations between the greater colonies and the mother country, to confine the right of property in a work to the country where it is first published, leaving the different colonies to legislate on the subject, and the copyright proprietor to secure, should he think fit, copyright in any other part of Your Majesty's dominions, by complying with the requirements of the law of such place.

56. It has been suggested further, that if copyright were thus limited, conventions might be made with the colonies similar to those made with foreign nations, providing in effect that publication in a colony should secure the same right to the proprietor of copyright as publication in the mother country. This would not, however, give a colonial author copyright elsewhere than in the United Kingdom, and in such other colonies as might agree to be bound by such conventions; and it may be questioned whether some of the colonies would not decline to enter into such conventions. The temptation to publish cheap copies of English copyright works without payment to the author would be very great, as it has proved to be in the United States. Upon this point we need only refer to Mr. Morrill's Official Report to the Senate of the United States, which will be found at page 10 of the Parliamentary Paper of July 1874 upon Colonial Copyright. Parl. Paper, July 1874, p. 10.

57. But we conceive that the existing anomalies may be removed, and the interests of the colonists preserved, without restricting the existing rights of British authors; and we submit further that the subject is one of such importance that it may fairly

Question 410.

continue to be treated, in some of its aspects, from an imperial, rather than from a local point of view, and that the colonies should be dealt with as integral parts of the empire, rather than placed on the footing of foreign nations. It may be added that foreign nations with whom we have made conventions might possibly have ground of complaint, if this limitation of the Imperial Act were made without their assent.

58. We recommend, therefore, generally, that where a work has been first published in any one of Your Majesty's possessions, the proprietor of such work shall be entitled to the same copyright, and to the same benefits, remedies, and privileges in respect of such work, as he would have been entitled to under the existing Imperial Act, if the work had been first published in the United Kingdom.

Steph. Dig, Art. 7. Questions 99–115.

59. With regard to publication in foreign states the law now is that, except under treaty, no copyright can be obtained if a book has been published in any foreign country before being published in the United Kingdom, but it is doubtful whether contemporaneous publication in this and a foreign country would prevent the acquisition of copyright here.

Questions 171, 172, 3933, p. 209, and 5049.

60. It is a grave question whether it is desirable that the condition requiring first publication in this country should continue, and whether the reason advanced for this condition, namely, that it is advantageous to this country that works should be first published here, outweighs the hardship that may be inflicted upon British authors by preventing them from availing themselves of arrangements which they might otherwise make with foreign or colonial publishers.

7 & 8 Vict. c. 12. Question 2093.

61. We have come to the conclusion that a British author, who publishes a work out of the British dominions, should not be prevented thereby from obtaining copyright within them by a subsequent publication therein. Yet we think that such republication ought to take place within three years of the first publication. And we may add, that we think the law should be the same with reference to dramatic pieces and musical compositions first performed out of Your Majesty's dominions, even though they are not printed and published;—in other words, that first performance in a foreign country should not injure the dramatic right in this country. It has been decided under the 19th section of the International Copyright Act, that the writer of a drama loses his exclusive right to the performance of his drama here in England, if it has been first performed abroad; that is to say, representation has been held to be a publication. We see no reason why the rule which may be finally determined upon in reference to first publication of books should not apply to first representation of dramatic pieces. The evidence shows how hardly the present law presses upon British dramatic authors.

Questions 2506, 2553, and 2639.

62. As to aliens, although we would give them the same rights as British subjects if they first publish their works in the British dominions, it is obvious that the same reason does not exist for giving them copyright if they do not bring their books first to our market; and we therefore recommend that aliens, unless domiciled in Your Majesty's dominions, should only be entitled to copyright for works first published in those dominions. It is to be borne in mind that, even though aliens may be deprived of British copyright by first publication abroad, they may still obtain it in many cases by means of treaties.

Persons capable of obtaining Copyright.

63. With regard to the persons who are capable of obtaining imperial copyright in Your Majesty's dominions, as distinguished from international copyright under treaty, we find that, according to the existing law, the author in order to obtain copyright must be either—

(a.) A natural-born or naturalized subject of Your Majesty, in which case the place of residence at the time of the publication of the book is immaterial; or

A person who, at the time of the publication of the book is to be obtained, owes local or temporary allegiance in which copyright residing at that time in some part of Your Majesty's to Your Majesty, by dominions.

es these it is probable, but not certain, that ook in the United Kingdom, even though resi an alien friend who first uires copyright therein. We think this d ent out of Your Majesty's to our previous recommendation as to pla oubt should be set at rest, Your Majesty's dominions, the benefit o e of publication by aliens h subjects and aliens alike. the copyright laws should

Immoral, Irreligious, Seditious, and Libellous Works.

65. Our attention has, during the course of our inquiry, been called to the case of books which are of an immoral, irreligious, seditious, or libellous character. The present law is that no copyright exists in such works, or in any book which professes to be what it is not, in such a manner as to be a fraud upon the purchasers thereof. Questions 3014–3022 and 3065. Steph. Dig. Art. 8.

66. The difficulty that arises in such cases is, that as the author is deprived of copyright, he cannot stop republication by other persons; and thus, unless there be a prosecution upon public grounds the evil is allowed to extend, instead of being checked by the only person who has any private interest in stopping its extension by others. To grant copyright, however, in such works is out of the question, as this would be to sanction and protect immorality, irreligion, libels, and other matters which it is against the policy of the law to encourage. The subject, however, really belongs more properly to the criminal law than to the law relating to copyright: and we therefore do not make any suggestion with regard to it.

Abridgments of Books.

67. Questions frequently arise, with regard to literary works, as to what is a fair use of the works of other authors in the compilation of books. In the majority of cases these are questions that can only be decided, when they arise, by the proper legal tribunals, and no principle which we can lay down, or which could be defined by the Legislature, could govern all cases that occur. There is one form of user of the works of others, however, to which we wish specially to draw attention, as being capable of some legislative control in a direction we think desirable. We refer to abridgments. Question 3001.

68. At present an abridgment may or may not be an infringement of copyright, according to the use made of the original work and the extent to which the latter is merely copied into the abridgment; but even though an abridgment may be so framed as to escape being a piracy, still it is capable of doing great harm to the author of the original work by interfering with his market; and it is the more likely to interfere with that market and injure the sale of the original work if, as is frequently the case, it bears in its title the name of the original author. Questions 269–273, 970, 1228–1237, and 2991–3002

69. We think this should be prevented, and, upon the whole we recommend, that no abridgments of copyright works should be allowed during the term of copyright, without the consent of the owner of the copyright.

Dramatic Pieces and Musical Compositions.

70. Dramatic pieces and musical compositions, though in some respects differing, are yet so similar that we may couple them together for the purposes of this Report.

71. We have carefully considered the statute law now in force with reference to music and the drama; but from the way in which certain Acts of Parliament have been framed and incorporated by reference, considerable doubt arises in our minds on various important points connected with these subjects.

72. It may be convenient, however, before referring to them more particularly, to notice a difference that exists between books and musical and dramatic works. While in books there is only one copyright, in musical and dramatic works there are two, namely, the right of printed publication and the right of public performance.

73. These rights are essentially different and distinct, and we find that many plays and musical pieces are publicly performed without being published in the form of books, and thus the acting or dramatic copyright is in force, while as to literary copyright such plays and pieces retain the character of unpublished manuscripts. Music printed and published becomes a book for the purpose of the literary copyright, and so, we presume, does a play; but it is a question what becomes of the performing copyright on the publication of the work as a book; and there is a further question, whether the performing copyright can be gained at all, if the piece is printed and published as a book before being publicly performed. Steph. Dig., Arts. 13–16 and 16.

74. With regard to the duration of copyright in dramatic pieces, and musical compositions, we recommend that both the performing right and the literary right should be the same as for books.

75. We further propose, in order to avoid the disunion between the literary and the performing rights in musical compositions and dramatic pieces, that the printed publication of such works should give dramatic or performing rights, and that public performance should give literary copyright. For a similar reason it would be desirable that the author of the words of songs, as distinguished from the music, should have no copyright in representation or publication with the music, except by special agreement.

Dramatisation of Novels.

Questions 2450–2473, 2596–2620.

76. With reference to the drama, our attention has been directed to a practice, now very common, of taking a novel and turning its contents into a play for stage purposes, without the consent of the author or owner of the copyright. The same thing may be done with works of other kinds if adapted for the purpose, but inasmuch as novels are more suitable for this practice than other works, the practice has acquired the designation of dramatisation of novels. The extent to which novels may be used for this purpose varies. Stories have been written in a form adapted to stage representation almost without change; sometimes certain parts and passages of novels are put bodily into the play, while the bulk of the play is original matter; and at other times the plot of the novel is taken as the basis of a play, the dialogue being altogether original.

Questions 2596 and 2601.

Questions 2463, 2610, 2611.

77. Whatever may be the precise form of the dramatisation, the practice has given rise to much complaint, and considerable loss, both in money and reputation, is alleged to have been inflicted upon novelists. The author's pecuniary injury consists in his failing to obtain the profit he might receive if dramatisation could not take place without his consent. He may be injured in reputation if an erroneous impression is given of his book.

Question 2604.

78. In addition to these complaints it has been pressed upon us that it is only just that an author should be entitled to the full amount of profit which he can derive from his own creation;—that the product of a man's brain ought to be his own for all purposes;—and that it is unjust, when he has expended his invention and labour in the composition of a story, that another man should be able to reap part of the harvest.

79. On the other hand, it has been argued that the principle of copyright does not prevent the free use of the ideas contained in the original work, though it protects the special form in which those ideas are embodied;—that a change in the existing law would lead to endless litigation;—and that it would work to the disadvantage both of the author and the public. Upon these grounds, or some of them, a bill, introduced by Lord Lyttleton in 1866 and supported by Lord Stanhope, was defeated.

Question 3023.

Questions 2473 and 2596.

80. We have fully considered all these points, and have come to the conclusion that the right of dramatising a novel or other work should be reserved to the author. This change would assimilate our law to that of France and the United States, where the author's right in this respect is fully protected.

Questions 2023 and 3032–3040.

Questions 2606–2609, and 2650.

81. Were this recommendation adopted, a further question would arise, as to the time during which this right should be vested in the author, and, in the event of his not choosing to dramatise his novel, whether other persons should be debarred from making use of the story he has given to the world. We are disposed to think that the right of dramatisation should be co-extensive with the copyright. It has been suggested, in the interest of the public, that a term, say of three or five years, or even more, should be allowed to the author within which he should have the sole right to dramatise his novel, and that it should be then open to anyone to dramatise it. The benefit, however, to the public in having a story represented on the stage does not appear to us to be sufficient to outweigh the convenience of making the right of dramatising uniform in its incidents with other copyright.

Lectures.

82. Lectures are peculiar in their character, and differ from books, inasmuch as, though they are made public by delivery, they have not necessarily a visible form capable of being copied. Nevertheless it has been thought right by the legislature in recent years to afford them the protection of copyright, and, considering the valuable character of many lectures, it is our opinion that such protection should not only be continued, subject to certain changes in the law, but extended. Although lectures

are not always capable of being copied, because not reduced to writing, many lectures written for the purpose of delivery are not published, and many are written that the matter of them may be preserved, or that they may be capable of delivery in the same form on other occasions. Moreover, lectures, though not put in writing by the author, may be taken down in shorthand, and thus published or re-delivered by other persons. The present Act of Parliament, which gives copyright in lectures, seems only to contemplate one kind of copyright, namely, that of printed publication, whereas it is obvious that for their entire protection lectures require copyright of two kinds, the one to protect them from printed publication by unauthorised persons, the other to protect them from re-delivery.

5 & 6 Wm. IV. c. 65.

Questions 5568–5573, and 5628.

83. The present law is that the author of any lecture, or his assignee, may reserve to himself the sole right of publishing it, by giving two days notice of the intended delivery to two justices of the peace living within five miles from the place where the lecture is to be delivered, unless the lecture is delivered in any university, public school, or college, or on any public foundation, or by any person in virtue of or according to any gift, endowment, or foundation, in which cases no copyright is given on any condition. If any person obtains a copy of a protected lecture by taking it down, and publishes it without the leave of the author, or sells copies, he is to forfeit the copies, and 1*d.* for every sheet found in his custody. This law is designed merely to prevent unauthorised publication of lectures by printing, but as has been observed it does not prohibit unauthorised re-delivery.

Steph. Dig., Art. 19.

84. We think that the author's copyright should extend to prevent re-delivery of a lecture without leave as well as publication by printing, though this prohibition, as to re-delivery, should not extend to lectures which have been printed and published. We also recommend that the term of copyright in lectures should be the same as in books, namely, the life of the author and 30 years after his death.

85. In the course of our inquiry it has been remarked that, in the case of popular lectures, it is the practice of newspaper proprietors to send reporters to take notes of the lectures for publication in their newspapers, and that, unless this practice is protected, it will become unlawful. It does not seem to us desirable that this practice should be prevented, but on the other hand the author's copyright should not in any way be prejudiced by his lectures being reported in a newspaper. The author should have some sort of control so as to prevent such publication if he wishes to do so; and we therefore suggest that though the author should have the sole right of publication, he should be presumed to give permission to newspaper proprietors to take notes and report his lecture, unless, before or at the time when the lecture is delivered, he gives notice that he prohibits reporting.

Questions 5631 and 5632.

Questions 3100 and 5633–5636.

86. By the present law, as above stated, a condition is imposed of giving notice to two justices. Without entering into the origin of this provision we find that it is little known and probably never or very seldom acted upon; so that the statutory copyright is practically never or seldom acquired. We therefore suggest, that this provision should be omitted from any future law.

Questions 3121 and 5632–5633.

87. We do not suggest any interference with the exception made in the Act as to lectures delivered in universities and elsewhere, wherein no statutory copyright can be acquired.

Newspapers.

88. Much doubt appears to exist in consequence of several conflicting legal decisions whether there is any copyright in newspapers. We think it right to draw Your Majesty's attention to the defect, and to suggest that in any future legislation, it may be remedied by defining what parts of a newspaper may be considered copyright, by distinguishing between announcements of facts and communications of a literary character.

Ante, para. 12.

Fine Arts.

89. The next subjects for our consideration were the various branches of the fine arts, consisting of engravings and works of that class, paintings, drawings, and photographs, and lastly, sculpture.

90. It might be supposed that the law relating to engravings, etchings, prints, lithographs, paintings, drawings, and photographs would be the same so far as those matters are capable of being regulated by the same law; but such is not the case. Until the

25th and 26th years of Your Majesty's reign there was no Act of Parliament by which copyright was given for paintings, drawings, and photographs, while engravings, etchings, and prints were protected so long ago as the eighth year of the reign of His late Majesty King George II. Though engravings, etchings, and prints were thus provided for, a doubt arose in process of time whether the Acts then in force would apply to lithographs and other recently invented modes of printing pictures, and it was therefore declared, by an Act passed in the 15th and 16th years of Your Majesty's reign, that the earlier Acts were intended to include prints taken by lithography or any other mechanical process by which prints or impressions of drawings or designs are capable of being multiplied indefinitely. It might be questioned whether the language of this Act would not embrace photography, but it seems to have been assumed that it would not, for in the 25th and 26th years of Your Majesty's reign an Act was passed to give copyright in paintings, drawings, and photographs, and the right thus given was placed on an entirely different footing and made subject to different conditions from those to which engravings, etchings, lithographs, and prints are subject.

91. There is at present great diversity in the law as to the duration of copyright in works of fine art. For engravings and similar works the term is 28 years from publication; for paintings, drawings, and photographs, the life of the artist and seven years; and for sculpture 14 years from the first putting forth or publication of the work, and if the sculptor is living at the end of that time, for a second term of 14 years. We do not think it desirable that these distinctions should continue.

92. We understand that the reason for making the term in the case of paintings the life of the artist and seven years, was to avoid the necessity of proving the date of publication, which is, it is said, in the case of a painting frequently impossible. There would be equal difficulty, it is reasonable to suppose, in proving the date of publication of sculpture, and we have already shown that it exists, to a minor degree, in the case of all literary works. We think it desirable as far as possible to get rid of this difficulty. By adopting as the term the life of the artist and a certain time after death, the result will be attained.

93. Sculpture, though a branch of the fine arts, is essentially different in many points from paintings, engravings, and works of that class; nevertheless we purpose to deal with them concurrently, so far as the subjects permit.

94. It will have been observed that wherever it is possible to place on the same footing the various subjects of copyright of which we have treated in the earlier part of this Report, we have recommended that the law should be assimilated; we propose that all the subjects of fine art shall be dealt with on the same principle so far as they are capable of that treatment.

95. We therefore propose that the term of copyright for all works of fine art, other than photographs, shall be the same as for books, music, and the drama, namely, the life of the artist and 30 years after his death.

96. We further recommend that it should be open equally to subjects of Your Majesty and aliens to obtain copyright in works of fine art, but aliens, unless domiciled in Your Majesty's dominions, should only be entitled to copyright for works first published in those dominions.

Sculpture.

97. As to sculpture we have had to consider by what acts the sculptor's copyright ought to be deemed to have been infringed. Sculpture may be copied in various ways, not only by sculpture and casting, but by engraving, drawing, and photography; and since the rise of photography the copying of sculpture by that means has become a considerable business. The question has therefore been brought before us whether copying by other means than sculpture or casting ought not to be considered piracy.

Questions 4056–4058, 4077–4080, 4096–4097.

98. A material item in the consideration of this question is the injury likely to be inflicted on the sculptor. The principal witness on this point, Mr. Woolner, R.A., though he thought that the photographing of sculpture would probably operate rather as an advertisement in the sculptor's favour than to his detriment, expressed a wish that the law should give a sculptor protection against copying by means of drawing or engraving; and he was of opinion that incorrect copying by drawing or engraving might be very prejudicial to the sculptor's reputation. But besides this there is the question whether a sculptor ought not to be entitled to any profit to be made by allowing his works to be photographed or otherwise copied.

99. Upon the whole we are disposed to think that every form of copy, whether by sculpture, modelling, photography, drawing, engraving, or otherwise, should be included in the protection of copyright. It might be provided that the copying of a scene in which a piece of sculpture happened to form an object should not be deemed an infringement, unless the sculpture should be the principal object, or unless the chief purpose of the picture should be to exhibit the sculpture.

100. It was also suggested that copyists of antique works ought to be protected by copyright so far as their own copies are concerned. Many persons spend months in copying ancient statues, and the copies become as valuable to the sculptors as if they were original works. It may be doubted whether the case does not already fall within the Sculpture Act, but we recommend that such doubts should be removed, and, that sculptors who copy from statues in which no copyright exists should have copyright in their own copies. Such copyright should not, of course, extend to prevent other persons making copies of the original work. Question 4087.

Paintings.—Assignment of Copyright on Sale of Pictures.

101. The most difficult question with relation to fine arts which we have had to consider, is to whom the copyright should belong on sale of a painting; whether to the artist or to the purchaser of the picture.

102. The present law on the subject is as follows:—The author of every original painting, drawing, and photograph, and his assigns, have the sole right of copying, engraving, and reproducing it, unless it be sold or made for a good or valuable consideration, in which case the artist cannot retain the copyright, unless it be expressly reserved to him by agreement in writing, signed by the vendee, or by the person for whom the work was executed; but the copyright, in the absence of such agreement, belongs to the vendee or such other person; but it is also provided that a vendee or assignee cannot get the copyright unless at the time of the sale an agreement in writing signed by the artist or person selling is made to that effect. The result is, that if an artist sells a picture without having the copyright reserved to him by written agreement he loses it, but it does not vest in the purchaser unless there is an agreement signed in his favour. If, therefore, there is no agreement in writing—a very frequent occurrence—the copyright is altogether lost on a sale, but if the picture is painted on commission, instead of being sold after being painted, the copyright in the absence of any agreement vests in the person for whom the picture is painted. Stat. 25 & 26 Vict. c. 68. s. 1. Steph. Dig., Art. 21.

103. We have taken a good deal of evidence with regard to this matter. It appears that the provision as to pictures painted on commission was made to prevent the unauthorised copying of portraits. Some difficulty, however, is said to have arisen in determing whether an order or a purchase is a commission, so as to bring the picture within such provision. Questions 2781–2785, 3622–3684,

104. With regard to the general question whether the copyright in a picture should in every case remain with the artist unless expressly sold, or whether it should follow the picture unless expressly retained, the artists as a body are unanimous in their desire to have the copyright reserved to them by law. Questions 3431–3435, 3445–3462.

105. It is true that if under the present law an artist wishes to retain the copyright he can do so by an express stipulation embodied in an agreement signed by the purchaser. Artists, however, say that this is practically useless, since the purchaser would look upon a proposal for such an agreement as intended to deprive him of part of the value of his purchase. They therefore seldom ask for agreements, preferring that the copyright shall drop. In that case any person who can gain access to a valuable picture may make and sell copies of it in defiance of both artist and owner. Questions 3457–3461, and 3625.

106. It is clearly undesirable that copyrights, which are in many cases of great value, should be in this way left free to piracy. The law, therefore, should distinctly define to whom, in the absence of an agreement, the copyright should belong.

107. In dealing with these questions we have had regard not only to the artist's claims which have been strongly advocated before us, but also to the interests of the public, and to the consideration whether any distinction should be made between pictures sold after being painted and pictures painted on commission, or between portraits and other pictures.

108. First, as to portraits as distinguished from other pictures. Although artists contend that the copyright in pictures should belong to them notwithstanding a sale, it is admitted by some that an exception to the general rule might be made in the case Question 3496.

of portraits, and that copyright in them might properly belong to the purchaser or person giving a commission The evidence appears to us to prove, first, that the reasons why the copyright in portraits should belong to the person ordering the painting apply equally to other pictures; and, secondly, that it is by no means easy to say what a portrait is. Thus it is open to question whether the word would include the portrait of an animal, a dog for instance, and if so, whether it would include a number of dogs, or a pack of hounds; or a picture of a house or a room, or any object without life; and further whether it is to include pictures of persons taken in character, not so much for the sake of the portrait of the person, as for the sake of the scene; and, lastly, whether it is to include pictures of persons forming large groups, where the scene is the object of the work, though the pictures of the persons present are portraits.

Questions 3648–3652.

109. These difficulties lead us on the whole to doubt the expediency of drawing any distinction between portraits and other pictures.

110. Secondly, as to making a distinction between pictures painted on commission and others. We are here met with the difficulty of defining what is a commission; and looking to the evidence upon this point we have arrived at the conclusion that no distinction can practically be made.

Question 3639.

111. The only question that remains, therefore, on this branch of our inquiry is, whether the copyright in a picture when sold, should still be vested in the artist, independently of the property in the picture, or whether, unless expressly reserved, it should follow the ownership of the picture.

112. The evidence shows that persons buying pictures do not in general think about the copyright, but that if the subject happens to be mentioned, they are generally under the impression that the copyright is included in the purchase, and are astonished if they are told that it is not. It is said that owing to this fact an artist, however eminent, when he is selling a picture, shrinks from mentioning the copyright and asking for an agreement to enable him to retain it; he usually prefers that the copyright should be absolutely lost to both parties, as in the absence of any written agreement it would be, under the first section of the Act which was passed in the 25th and 26th years of Your Majesty's reign (c. 68), than that the purchaser should think that he is losing a valuable part of his bargain, and consequently should decline to complete the purchase.

Questions 3445, 3446, and 3625.

113. The principal reason why artists wish to retain the copyright is to keep control over the engraver and photographer. To artists no doubt this control is a matter of considerable pecuniary value, but they urge that they not only wish to control engraving in order to get the payment from the engraver, but chiefly to prevent inferior engraving, which they consider prejudicial to their reputation. It is admitted that if a picture is sold, the artist would have no power to get it engraved when it is in the possession of the purchaser, except by his consent, and artists are willing that this should continue to be the case; but if this power of preventing engraving is so valuable, it is not easy to see why they should hesitate to explain the law to the purchaser and offer to let him have the copyright if he will preserve the picture from inferior engraving, rather than let the copyright be lost both to artist and purchaser.

Questions 3630–3637.

114. This difficulty does not, we may observe, arise in sales to publishers, who, as a rule, purchase for the purpose of engraving, and therefore buy the copyright.

Question 3457.

115. Upon the whole, then, the majority of us have arrived at the conclusion, that, in the absence of a written agreement to the contrary, the copyright in a picture should belong to the purchaser, or the person for whom it is painted, and follow the ownership of the picture. We may observe that this conclusion, though differing from the Bill of 1862 as originally drawn, and from a draft Bill of 1864, is in accordance with the provisions of the Fine Arts Bill of 1869, which we learn from Mr. Blaine's report was "prepared by direction of the Council of the Society of Arts, Manufactures, "and Commerce, in consequence of a memorial having been presented to the Council "by a considerable number of the most eminent artists and publishers resident in "London." It is further substantially the same as the first section of the existing Act of 1862, except as to the concluding provision in that section, which enacts that the vendee cannot have the copyright unless an agreement to that effect is made in writing. This proviso was apparently added to the Bill without sufficient consideration, during its progress through Parliament.

Questions 3619 and 3620.

Appendix, p. 364.

Question 2782.

116. Upon this part of the case we may here refer to a question that has been brought under our notice, namely, whether an artist who has sold a picture should be allowed,

without the consent of the owner, to make replicas of it, or whether, as has been suggested, a distinction should be made between replicas made by the artist and copies made by others than the artist. We are not, however, inclined to recognise any distinction; nor indeed, so far at all events as replicas in the same material are concerned, does it appear to be supported by artists. Questions 3686–9, and 5892, p. 323

117. Though in the preceding paragraphs we have spoken only of paintings, the law is the same as to drawings and photographs; and we think that, whatever changes may be made in the law as to paintings, the same should be made with regard to drawings.

118. Photographs, however, present some difficulty. At the present time they are coupled by Act of Parliament with paintings and drawings, and are subject to the same law, but, as we have before pointed out, we believe this circumstance arose merely from the fact that before the year 1862, when the Act was passed, there was no copyright protection afforded by the law for either of these subjects, and it was then thought right that photographs should be protected as well as other works of art. On consideration, however, it will be seen that photographs are essentially different from paintings and drawings, inasmuch as they more nearly resemble engravings and works of a mechanical nature, by which copies of pictures are multiplied indefinitely.

119. We propose that the term of copyright in photographs should be 30 years from the date of publication, except when originally published as part of a book. In the latter case it should be for the term of copyright in the book.

120. But the point upon which we feel difficulty is, whether the copyright should be assimilated to that in paintings and pass to a purchaser, or whether it should remain with the photographer. When photographs are taken with a view to copies being sold in large numbers, it is practically impossible that the copyright in the negative should pass to each purchaser of a copy, and it must remain with the photographer, or cease to exist. On the other hand the same reasons exist for vesting the copyright of portraits in the purchaser or person for whom they are taken, as in the case of a painting. Indeed, considering the facility of multiplying copies, and the tendency among photographers to exhibit the portraits of distinguished persons in shop windows, it may be thought that there is even greater reason for giving the persons whose portraits are taken the control over the multiplication of copies than there is in the case of a painting. It therefore becomes a question whether it is not necessary to make that distinction between photographs that are portraits and those that are not, and between photographs taken on commission and those taken otherwise, which we have deprecated in the case of paintings.

121. We suggest that the copyright in a photograph should belong to the proprietor of the negative, but, in the case of photographs taken on commission, we recommend that no copies be sold or exhibited without the sanction of the person who ordered them.

122. The same questions arise with respect to engravings, lithographs, prints, and similar works. These arts, like photography, may be employed for the purpose of issuing a large number of copies of a picture, or merely for the purpose of executing a commission and printing a few copies, of a portrait for instance, for private distribution by the person giving a commission among his friends. We think, therefore, that so far as regards the transfer and vesting of the copyright these arts should be placed upon the same basis as photography.

123. Before leaving the subject of the fine arts, we wish to notice one other matter as to which artists say the law is disadvantageous to them. Before an artist paints a picture, he frequently finds it necessary to make a number of sketches or studies, which, grouped together, make up the picture in its finished state. These works may be studies expressly made for the picture about to be painted, or they may be sketches which have been made at various times, and kept as materials for future pictures. If, after a picture is so composed, the copyright is sold, the artists are afraid that they are prevented from again using or selling the same studies and sketches, as they have been advised that such user or sale would be an infringement of the copyright they have sold. Questions 3697–3705. Question 3939.

124. It may be doubted whether this fear is well founded, but as the use of such studies and sketches as we have described could not, in our opinion, result in any real injury to the copyright owner, who has copies of them in his picture in a more or less altered shape, and combined with other independent work, we think the doubt should be removed, and that the author of any work of fine art, even though he may have parted with the copyright therein, should be allowed to sell or use again his *bonâ fide* sketches and studies for such works and compositions, provided that he does not repeat Question 3941.

Question 3938. or colourably imitate the design of the original work. We may observe that a provision to this effect was inserted in the Copyright Bill which was introduced by Lord Westbury in 1869.

Architecture.

125. In the course of our inquiry we received an application from the Royal Institute of British Architects, that a representative of the Institute might bring before us a grievance under which architects considered themselves to suffer. Mr. Charles Barry, the president, attended, and after reading to us a copy of a petition on the subject, which had been presented to the House of Lords in the year 1869, and some other papers which will be found in the evidence, contended that architects were subjected to great injustice and injury through their designs not having the protection of copyright, so as to prevent them being used by other persons than the author for building purposes; and some instances of hardship were given.

Questions 4291 and 4292.

126. He suggested that the right to reproduce a building should be reserved to the architect for 20 years, and this whether reproduction were desired on the same scale or a different one, or in whole or in part, and whether by the person who gave the commission or any other; and further that copyright in architectural designs should be reserved to the author from the date of erection of a building or the sale of the design.

Questions 4334 and 4355.

127. We are satisfied, as regards the former suggestion, that it would be impracticable to reserve this right to reproduce a building. With regard to the latter suggestion, we may observe that though architectural designs have no protection as designs, they are, in our opinion, protected as drawings by the Fine Arts Act, passed in the 25th and 26th years of Your Majesty's reign, so that they may not be copied on paper; and we think that such protection should be preserved.

Registration of Copyright and Deposit of Copies.

128. In the early part of our Report we referred to the existing law respecting registration. It affords one of the most striking instances of those anomalies and distinctions which have grown up in the law of copyright, because the various subjects of the copyright law have been dealt with by the legislature at different times, and because there has been no attempt made to bring them into harmony.

129. We would first draw attention to the deposit, or presentation of copies of books to various public libraries.

Steph. Dig. Art. 30.

130. By the present law a copy of the first edition, and of every subsequent edition containing additions and alterations, of every book published in any part of Your Majesty's dominions, must be delivered at the British Museum gratuitously, within a certain time after publication; and in default of such delivery the publisher is subject to penalties. There are four other libraries which have a right, on demand, to receive copies of every edition of every book, but to these special cases we shall hereafter have occasion to refer. No such deposit or presentation is required in the case of musical compositions or dramatic pieces publicly performed, unless printed and published, or in the case of lectures publicly delivered unless printed and published, or in the case of engravings and similar works, or of paintings, drawings, or photographs.

Questions 622, 1944–2050, 4611–4725, and 5479–5551.

131. In every case for which registration is provided, except that of sculpture, it is effected at the Hall of the Stationers' Company, by an officer of the company called the Registrar of Copyright. Sculpture is not registered at Stationers' Hall, but, under the Copyright in Designs Acts, was, until recently, registered, if at all, by the Registrar of Designs. Since the abolition of the office for registration of designs as a separate paid office, sculpture has been registered under arrangements made by the Commissioners of Patents. We ought here to mention that under the International Copyright Act, to which we shall hereafter more particularly allude, copyright in foreign works is in all cases, including sculpture, registered at Stationers' Hall, and that by the same Act registration is made compulsory for works of those classes which, if British, are not required to be registered, and for which no domestic provision for registration exists.

132. By the present law, registration of books and works included by Act of Parliament in that term, is optional, but no action can be maintained for infringement of copyright until they have been registered. After registration, however, actions will lie for antecedent infringement. The principle of the law, therefore, is, that copyright

attaches upon production and publication, and that registration is only a legal preliminary to the enforcement of the right against a wrongdoer. The law, as will hereafter be seen, differs in regard to other works; but at present we confine our remarks to books.

133. We do not consider this state of the law satisfactory. We find that, as a matter of fact, few books are registered until the copyright has been infringed, and though the words "Entered at Stationers' Hall" are frequently to be seen on the title pages of books, or on the outer sheets of music, entries are not generally made. Questions 340, 388–392, 459, 503, 2357, and 3829–3831.

134. Several objections have been urged to this state of things. One is, that if it be the object of registration to define the extent and the duration of a right, as well as to ascertain to whom the right belongs, a law which leaves it open to all concerned to avoid that very definiteness which the law seeks to impose, is clearly unsatisfactory. Under the present system it is impossible to ascertain when the term of copyright in a particular book commenced, and therefore to know when it ends. And lastly, it is rendered uncertain whether an author intends to insist upon his copyright at all.

135. The remedies which have been proposed to us are either the total abolition of registration, or that it should be made compulsory, systematic, and efficient.

136. Those persons who suggest the abolition of registration have argued that it is of no practical utility;—that it cannot, as in the case of shares, ships, or land, be conclusive evidence of title;—that it cannot prove that the book registered was written by the person who registers it, or that it is not a piracy;—and that the owner can assert and prove his right quite as well by extrinsic evidence as by means of a register. Those, on the other hand, who advocate registration, say that it is a useful system, because copyright is a species of incorporeal property, of which some visible evidence of existence is desirable;—that it may on occasions be a matter of public utility to know to whom certain books belong, and that by means of registration the public are enabled to ascertain the fact, and whether copyright in a book does exist. They argue further that another advantage which can and ought to be derived from registration is that the register might be made conclusive evidence of transfer or devolution of title;—and that it would afford to the country a complete list of all literary works brought out in this country. It is also said to be very probable that in the absence of registration English authors might find it difficult to enforce their rights in other countries. It is admitted to be a convenience to an author to be able, under an international copyright convention, to produce as evidence a copy of the register, instead of being obliged to prove by witnesses his authorship and right. Questions 511–520, 696–734, 2923. Questions 123, 157, 181, 203–6, 705, 713, 718, 784, 2923, and 2938.

137. We are satisfied that registration under the present system is practically useless, if not deceptive. Great annoyance is caused to persons who are obliged to resort to the register, whether for the purpose of registering works or of searching for entries, by the mode in which the register is kept. In stating this we do not desire to express any censure upon the gentleman who holds the office of registrar. Our censure is intended to apply to the system in force, and the law which orders, or at least sanctions it. Moreover, in our opinion the fees are unnecessarily high. Questions 459, 628, 1958*-1962* 2091, and 4611–4725.

138. We have been satisfied by the arguments in favour of registration that it is advisable to insist upon it, and that it should be made more effective and complete. To this end it should be made compulsory.

139. Before we refer to the several modes by which it has been suggested to us that registration may be made compulsory, it will be convenient to call attention to the system of registration now in force.

140. The existing regulations as to registration at Stationers' Hall are contained in the Copyright Act which was passed in the 5th and 6th years of Your Majesty's reign. By that Act a book of registry, wherein may be registered the proprietorship in the copyright of books and assignments thereof, and in dramatic and musical pieces, whether in manuscript or otherwise, and licenses affecting such copyright, is to be kept at the Hall of the Stationers' Company by an officer appointed by the company for that purpose. The register is to be open at all convenient times for inspection on payment of 1*s.* for every entry searched for or inspected, and certified copies of entries may be obtained on payment of 5*s.*, such copies being made *primâ facie* evidence of certain specified matters in all courts. To make a false entry, or to tender in evidence a fictitious copy, is a misdemeanor. Any proprietor of copyright in a book may enter in the register, in a specified form the title of the book, the time of 5 & 6 Vict. c. 45, ss. 11, 12, 13, 14, and 19.

first publication, the names and places of abode of the publisher and proprietor of the copyright, or of any portion of the copyright: a fee of 5s. is payable on registering a book, and on payment of a similar sum any copyright may be assigned by the proprietor by making an entry of the assignment in the register. In case of error in the register, power is vested in Your Majesty's High Court of Justice to order a correction to be made. With regard to the registrar, he, by the terms of the Act, is appointed by the Stationers' Company. There is no power of dismissal given, but possibly the Company have a power of dismissal for reasonable cause. It seems doubtful whether the appointment is for life, or whether it is annual, but renewed as a matter of course; but for all practical purposes the appointment may be regarded as a life appointment. The remuneration of the registrar is by means of the fees payable for entries, certificates, assignments, and searches for entries of copyrights in the register. These fees wholly belong to the registrar, and the Stationers' Company does not participate in them.

Question 5485.

Questions 2050, 4611, and 5484–5486.

Question 459, 1958*, 2091, 2298, 2329, 2811, 2954.

141. In the course of our inquiry we received many complaints of a serious character from a number of witnesses against the present system of registration, and the mode in which the register is managed and the business conducted at Stationers' Hall. Great dissatisfaction has also been expressed at the amount of the fees, but these it will be remembered are fixed by the Act of Parliament. With regard to the complaints relating to the conduct of the registration, we feel bound to say that the registrar (whom we invited to come before us a second time, if he desired to say anything in answer to the charges made by the other witnesses) was able to give satisfactory answers to many of the charges. Among others, complaints were made of the ignorance displayed in the office by the officials there, and their inability to answer questions put to them relating to copyright and registration. These questions, however, in many cases appeared to be of a legal and intricate character, and of such a kind that the registrar and clerks could scarcely be expected to answer them, even if it had been their duty to do so, upon which point we entertain considerable doubt.

Questions 4611–4725.

Question 520.

142. Complaints were also made of the inconvenience of the Registration Office and the insufficiency of the space. After a careful examination into these points, and a personal inspection of the office by some of Your Majesty's Commissioners, we are satisfied that the building is very inadequate for the purpose of the business conducted there, and that it would become more so upon the introduction of compulsory registration. Nor can there be any doubt that the register itself is capable of considerable improvement.

Question 5545.

143. With regard to the insufficiency of the office accommodation, we were informed by the clerk to the Stationers' Company, that should the legislature continue to entrust to them the duty of registration they would be willing in three or four years' time, when some of their property adjacent to the present office will be pulled down, to erect at their own expense suitable offices on an increased scale and with proper accommodation.

Questions 5521–5525.

144. It is only fair to the Stationers' Company to point out that they have no power under the Act to make any regulations respecting registration. If, therefore, registration be continued at Stationers' Hall, it would appear to be right that some power of control should be vested in the Company by Parliament, and we believe that they are ready to accept that power.

145. In order to provide an improved system of registration in substitution for that now in use, it appears to us that the two acts of registration and deposit of the copy of a book at or for the British Museum should be combined; or, in other words, that, so far as the author is concerned, registration should be complete on the deposit of the copy and on obtaining an official receipt. One advantage of this would be a diminution of labour and expense, and the British Museum would probably receive all copyright books without the labour of hunting for them in booksellers' catalogues and advertisements, as we are informed the officials are obliged to do under the present system. Another advantage would be that the fees to be paid for registration might be materially diminished.

Questions 1694–1696.

146. The registration should be effected by the registrar appointed for that purpose, whose duty it should be to receive the copy of the book, to register the official receipt, and to give a copy thereof, certified by him, to the person depositing the book. This certified copy should be a substitute for the certificate at present obtained, and it

should be *primâ facie* evidence in courts of law of the publication and due registration of the work, and of the title to the copyright of the person named therein.

147. A fee of 1*s.* would in our opinion be ample, if registration be made compulsory, to render the office of registration self-supporting. This is shown by the statistics as to the number of books and other publications received at the British Museum, which will be found in the Appendix to the Evidence of Mr. J. Winter Jones. There might also be a fee of 1*s.* for searches. This, besides providing a large revenue, would enable authors to obtain for 1*s.* both registration and a certificate of registration of copyright, for each of which 5*s.* is now charged. Evidence pp. 349, 350.

148. We regard it as a mistake that the appointment of an officer for so important a duty as that of registering rights affecting a vast number of persons, and the evidence of which ought to be under the control of the Government, should be vested in a private society. The registers ought to be placed in such keeping that they may at all times be treated as part of the public records, and the registrar ought to be a person amenable to a Government department. The necessity for this would be increased by the acceptance of our suggestion that registration should be made compulsory. In any case the registry and the registrar should be under Government direction and responsible to Government.

149. Considering that a copy of each book has to be deposited at the British Museum,—that at present the authorities of the Museum have to give receipts for the works deposited and to keep certain registers,—and that it is a part of our plan that the deposit of the book and registration of the copyright should be combined,—it appeared to us that the most appropriate place for the Registry Office would be the British Museum, and that the officers of the registry, whilst under the general control of the trustees of the Museum, should be answerable to Government for the proper discharge of their duties. We, therefore, put ourselves into communication with the trustees, with a view of ascertaining their opinion on the point, but they stated that they deemed it undesirable for the British Museum to undertake the duty, on the ground that registration of copyright is an executive function, and did not come within the sphere of their duties as trustees of the British Museum. A copy of the correspondence will be found in the Appendix and we cannot but express our regret that the trustees declined to accede to our request that one of their body should appear before us. It is probable that a full explanation of our views and a personal discussion might have removed the difficulties which they felt upon this point. Appendix to Evidence. p. 407.

150. If registration of copyright should not be established at the British Museum, it might be either retained at Stationers' Hall, or removed to some Government office established for the purpose. It is proper to state that the Stationers' Company seem desirous of retaining the office, because their Hall has been the place for registration ever since registration was instituted; and further that it has been recognized as the place of registration in several international conventions. In our opinion, however, the reasons in favour of transferring registration to a Government office preponderate. In either case arrangements will have to be made for transferring to the British Museum the works which are deposited and registered elsewhere. Questions 631–634 and 2937. 5537.

151. It only remains for us to notice the means by which registration may be most easily rendered compulsory. Three ways have been suggested to us in which this may be done:—1. By making registration on the date of publication a condition of an effective copyright. 2. By inflicting a pecuniary penalty. 3. By giving the owner a direct interest in registering his copyright. With reference to the second suggestion, there is at present a pecuniary penalty for failure to present books to the library of the British Museum, and it is urged that it would be found sufficient for the purpose of compelling registration; but to this it is replied that little effect can be expected in such a case as registration of copyright from a mere penalty; and also that a penalty would have to be enforced through the medium of some Government office; and that, independently of the difficulty there would be in finding out books that had not been registered, no Government office would willingly execute the task of suing for penalties. With regard to the presentation of books to the British Museum, the Museum has an interest in procuring the books distinct from the matter of the penalty. Questions 2928–2932.

152. With the third suggestion we are inclined to agree; and although we are not disposed to advise the abolition of a penalty for not delivering for the use of the British Museum a copy of every book which has not been delivered and registered at Stationers' Hall, or some Government place of registration, we think that compulsory registration would be sufficiently secured by the third course that has been suggested,

namely,—that a copyright owner should not be entitled to take or maintain any proceedings, or to recover any penalty in respect of his copyright until he has registered, and that he should in no case be able to proceed after registration for preceding acts of piracy. This is the present law in the case of paintings, drawings, and photographs, and we see no reason why the same law should not be applied to copyright in every other work that has to be registered.

153. If this plan should be adopted, it becomes a question what should happen after registration with regard to copies made before registration. Were the copyright owner entitled upon registration to suppress all such copies, the compulsory provisions of the law would to a certain extent be neutralised, because it would be unnecessary for copyright owners to register until their works had been copied. It has been urged, on the other hand, that if an unscrupulous person should, after the expiration of the time allowed for registration, and before registration, publish a large number of copies, the copyright owner would practically lose all the benefit of his copyright if these copies were allowed to be sold and circulated after registration. We think, however, that in practice this would not occur. As a rule, registration would be effected immediately on publication, and before the work could be copied.

154. We therefore recommend that proprietors of copyright should not be entitled to maintain any proceedings in respect of anything made or done before registration, nor in respect of any dealings subsequent to registration with things so made or done before registration. But as this provision might in some cases operate harshly, we think it should not apply if registration is effected within a limited time, say one month, after publication.

155. In making these remarks on the subject of registration, we have referred only to books and works of a similar character, but we intend them equally to apply, with one exception, to dramatic pieces and musical compositions which are publicly performed but are not printed and published. We have suggested that the acts of registration and deposit of a copy of the book should be combined, and it is manifest that there could not conveniently be any deposit of a copy of a work not printed; we propose, therefore, that in these cases it should be sufficient that the title of every drama or musical composition, with the name of the author or composer, and the date and place of its first public performance, should be registered.

156. For the sake of uniformity we are of opinion that it is desirable that the law of registration should, as far as possible, be the same for works of fine art as for books, music, and the drama.

Questions 3957–4035, 3463–3481, 3200–3211, 5457.

157. It has, however, been strongly urged upon us that compulsory registration in the case of paintings and drawings is practically impossible; and it would seem that the same arguments that are used against compulsory registration in the case of paintings and drawings apply equally to sculpture. There is no doubt a great difficulty in the way of compulsory registration of paintings and drawings. This arises from the fact that the class of pictures to be registered cannot be limited, and that if copyright in an important work is only to be secured by registration, copyright in the smallest sketch or study could only be preserved by the same means. Some difficulty also arises from the fact that paintings, drawings, and sketches are so frequently subjected to alteration that it would be almost impossible to say when a work is finished so as to be capable of registration as a completed work.

158. On these grounds, therefore, we recommend that registration of paintings and drawings should not be insisted on so long as the property in the picture and the copyright are vested in the same person, but that if the copyright be separated by agreement from the property in the picture, there should be compulsory registration, and that the register should show,—

(*a.*) The date of the agreement.
(*b.*) The names of the parties thereto.
(*c.*) The names and places of abode of the artist and of the person in whom the copyright is vested.
(*d.*) A short description of the nature and subject of the work, and, if the person registering so desires, a sketch outline or photograph of the work in addition thereto.

159. With regard to such works as engravings, prints, and photographs, there would not be the same difficulty, and we think that they should be subject to compulsory registration in the same way as books.

Forfeiture of Copies.

160. Before proceeding farther we may notice a provision of the law which we consider of great value as a protection for owners of copyright, and which we consider it desirable to retain. By the Act which was passed in the 5th and 6th years of Your Majesty's reign it is provided that all copies of any book in which there is copyright, unlawfully printed or imported without the consent in writing under his hand of the registered proprietor of the copyright, are to be deemed to be the property of the registered proprietor of such copyright, and he may sue for and recover the same, with damages for the detention thereof, from any person who detains them after a demand thereof in writing. We recommend that this provision, *mutatis mutandis*, should be extended to works of fine art. We think it would, however, be an improvement to provide that these copies and damages might be summarily recovered by application to a magistrate.

Public Libraries.

161. The subject which we have next to notice is the obligation that now exists to present gratuitously copies of every book published to certain public libraries. This obligation dates from the reign of his Majesty King Charles II., and since that date it has varied from time to time as regards the number of copies required to be presented and the libraries entitled to them, the number of the latter having at one time been as high as eleven. The Act by which the present obligation was imposed is that which was passed in the 5th and 6th years of Your Majesty's reign. By that Act one copy of every book published, and of every second or subsequent edition, if any alterations or additions are contained therein, has to be delivered gratuitously by the publisher at the British Museum, and if a demand be made in writing one copy has also to be delivered gratuitously for the Bodleian Library at Oxford, the public library at Cambridge, the library of the Faculty of Advocates at Edinburgh, and the library of Trinity College, Dublin. Thus authors and publishers have now generally to provide five copies of each work, as well as of second and subsequent editions, at their own cost for public use. A slight difference is made between the cases of the copies given to the British Museum and of those given to the other libraries. In the former the copies have to be of the best kind published, and in the latter the copies are to be upon the paper of which the largest number of copies of the book or edition is printed for sale; and in the former the delivery is obligatory in every instance, while in the latter it is only required if a demand be made. As a matter of fact, however, copies of nearly every work of any importance are presented to all five libraries.

Question 460.

5 & 6 Vict. c. 45. s. 6.

Sec. 8.

162. Many of the witnesses who have given evidence before us have complained of this obligation as a heavy and unjust tax. The weight of it, however, is hardly felt in the case of low-priced books, or books of large circulation, though the gratuitous presentation of a number of books of even small value involves a double loss to authors and publishers, assuming that the libraries would each buy a copy, were one not to be obtained without payment. The grievance is of course most felt in the case of expensive works. Publishers complain of the injustice of taxing them or the authors for the maintenance of public libraries, and ask why the public, or the bodies to be benefited, should not pay for the books they require.

163. When this complaint was made to us we communicated with the authorities at the libraries other than the British Museum, in order to ascertain the number of books obtained by them under the Act, and the value they attached to their privilege. We obtained replies from which it appears that a large number of the books published are sent to these libraries, and that they are generally sent without any demand being made for their delivery; also that the authorities regard the privilege as one of considerable value, which they are not willing to part with. We have placed a copy of this correspondence in the Appendix to the Evidence.

Appendix to Evidence, p. 408.

164. Having to decide between the authors and publishers on the one hand, and the libraries on the other, we on the whole consider that the complaint of the authors and publishers is well founded, and we have come to the conclusion that so much of the existing law relative to gratuitous presentation of books to libraries, as requires copies of books to be given to libraries other than that of the British Museum, should be repealed. In making this recommendation we have taken into consideration the facts that the bodies to whom the libraries belong are possessed of considerable means and are well able to purchase any books which they may require; and also that the repeal of the clause

giving the privilege, will not deprive the libraries of any property already acquired, but merely of a right to obtain property herein-after to be created.

165. It will have been seen that we do not propose to interfere with the obligation to deliver at the library of the British Museum a copy of every book published, as it is a part of our scheme that registration should be effected and copyright secured by the deposit of a copy of the work for the public use. To this we think no reasonable objection can be made.

166. We will only add that the importance of securing a national collection of every literary work has been recognised in most of the countries where there are copyright laws. And with a view to make the collection in this country more perfect, we are disposed to think that it would be desirable to require the deposit at the British Museum of a copy of every newspaper published in the United Kingdom. As a matter of fact, such newspapers are, we believe, now deposited there, but a doubt has been raised whether that deposit could be enforced under the existing law.

Questions 1750–61.

Music and the Drama.—Penalties.

167. We have next to refer to a provision of the law which has of late occasioned some dissatisfaction, and which, in our opinion, needs revision.

168. By an Act of Parliament which was passed in the third year of the reign of His late Majesty King William IV. (c. 15), it was enacted, with reference to dramatic copyright, that if any person should, during the continuance of the sole liberty of representation and contrary to the right of the author, or his assignee, represent or cause to be represented, without the consent in writing of the proprietor of the copyright first had and obtained, at any place of dramatic entertainment within the British dominions, any dramatic piece, the offender should be liable, for each and every representation, to the payment of an amount not less than 40*s.*, or to the full amount of the benefit or advantage arising from the representation, or the injury or loss sustained by the proprietor of the copyright, whichever should be the greater damages; such sum to be recovered together with double costs of suit by the proprietor. In the 20th section of the Act, which was passed in the 5th and 6th years of Your Majesty's reign (c. 45), it was recited that it was expedient to extend to musical compositions the benefits of the earlier Act, and it was enacted that the provisions of the earlier Act should apply to musical compositions.

169. This provision for the 40*s.* penalty has lately been much abused. Copyrights in favourite songs from operas and in other works have been bought, and powers of attorney have been obtained to act apparently for the owners of the copyright in such works, and to claim immediate payment of 2*l.* for the performance of each song. These songs are frequently selected by ladies and others for singing at penny readings and village or charitable entertainments, and they sing them not for their own gain, but for benevolent objects. In such cases there is manifestly no intention to infringe the rights of any person; the performers are unconscious that they are infringing such rights; and no injury whatever can be inflicted on the proprietors of the copyrights. In many cases of this kind, and under a threat of legal proceedings in default of payment, the penalty has been demanded, and we have reason to believe that the money so demanded has been generally paid. Many instances of this proceeding have been brought to our notice from various parts of the country, and some will be found in the evidence.

Questions 1984*-1990* 2029*–2093, 2132, 2262–2292, 3778.

170. We have inquired whether the abolition of the right to take proceedings for the performance of these single songs would inflict injury on composers. The opinion seemed to be that though public performance is generally advantageous to composers, since it operates as an advertisement of their works, it is necessary that copyright owners should retain sufficient control to enable them to save their music from inferior or unsuitable performance, which might give the public an unfavourable opinion of their compositions.

Questions 2220 and 2225–2228.

171. The amendment in the law which we propose as most likely to preserve control for the composers, and at the same time to check the existing abuse, is that every musical composition should bear on its title page a note stating whether the right of public performance is reserved, and the name and address of the person to whom application for permission to perform is to be made. The owner of such composition should only be entitled to recover damages for public performance when such a statement has been made; and instead of the minimum penalty of not less than 40*s.* at present recoverable for any infringement of musical copyright by representation, the court should have power to award compensation according to the damage sustained.

172. This abuse of the powers given by the Act does not seem to have arisen in the case of dramatic copyright, nor does it seem likely to arise so long as the present law of licensing places of dramatic performance exists. We do not therefore suggest any alteration in the law so far as it applies to that copyright.

Fine Arts.—Infringement.

173. Two matters relating to infringement of copyright in works of fine art, but particularly of paintings, have been brought to our notice in which, it is alleged, the law affords an inadequate remedy.

174. First, by the 6th section of the Act which was passed in the 25th and 26th years of Your Majesty's reign (c. 68) it was enacted that if any person should infringe copyright in any painting, drawing, or photograph, he should be liable to a penalty of 10*l.*, and all the piratical copies should be forfeited to the proprietor of the copyright. Artists and engravers, who are frequently proprietors of copyright in paintings and drawings, consider the provision enabling them to seize piratical copies to be of great value, but they say that it is rendered inefficient by the fact that no power is given to enter a house and search for copies. An instance was given to us where, a conviction for selling piratical copies having been obtained, the magistrate had made an order that the copies should be delivered up, but it was found that the order could not be enforced. Questions 3295–3366. Question 3295.

175. The only remedy suggested to meet the evil, is that proposed in the Bill introduced into Parliament in the year 1869, but withdrawn before it became law, and which runs as follows:— Appendix to Evidence, p. 356.

"Upon proof on the oath of one credible person before any justice of the peace, court, sheriff, or other person having jurisdiction in any proceeding under this Act that there is reasonable cause to suspect that any person has in his possession, or in any house, shop, or other place for sale, hire, distribution or public exhibition any copy, repetition or imitation of any work of fine art, in which or in the design whereof there shall be subsisting and registered copyright under the Act, and that such copy, repetition, or imitation has been made without the consent in writing of the registered proprietor of such copyright, it shall be lawful for such justice, court, sheriff, or other person as aforesaid before whom any such proceeding is taken, and he or they is and are hereby required to grant his or their warrant to search in the daytime such house, shop, or other place, and if any such copy, repetition, or imitation, or any work which may be reasonably suspected to be such shall be found therein, to cause the same to be brought before him or them, or before some other justice of the peace, court, sheriff, or person as aforesaid, and upon proof that any or every such copy, repetition, or imitation was unlawfully made, the same shall thereupon be forfeited and delivered up to the registered proprietor for the time being of the copyright as his property." Though we should be glad to see some remedy adopted, we entertain doubts whether that proposed is not of a more stringent character than the circumstances justify.

176. The other matter relative to copyright in the fine arts, with regard to which it is said the law is defective, arises out of the now very common practice of hawking about the country piratical copies, and particularly piratical photographs of copyright paintings and engravings. This is spoken of as a serious injury to the copyright proprietors, and a practice which the existing law is powerless to stop. Questions 3291–3295, 3329–3380, and 3483–4.

177. At present all penalties and all copies forfeited can be recovered in England and Ireland only by action or by summary proceedings before justices, that is by summoning the offending person before the justices, and in Scotland by action before the Court of Session, or by summary action before the sheriff. The complaint made to us is that there is no power to seize piratical copies where they are seen and when they might be taken. The power to proceed by summons is, it is said, generally ineffectual, because persons selling these copies go round from house to house and refuse to give either a name or address, and are altogether lost sight of before a summons can be procured. Stat. 25 & 26 Vict. c. 68. s. 8.

178. A remedy by seizure was proposed in the Bill of 1869, and we think that the evil can best be met by the introduction in any future Act of a clause similar to the 15th of that Bill. The 15th clause was as follows:—

"If any person elsewhere than at his own house, shop, or place of business, shall hawk, carry about, offer, utter, distribute, or sell, or keep for sale, hire, or distribution,

any unlawful copy, repetition, or colourable imitation of any work of fine art, in which, or in the design whereof, there shall be subsisting and registered copyright under this Act, all such unlawful articles may be seized without warrant by any peace officer, or the proprietor of the copyright, or any person authorised by him, and forthwith taken before any justice of the peace, court, sheriff, or other person having jurisdiction in any proceeding under this Act, and upon proof that such copies, repetitions, or imitations were unlawfully made, they shall be forfeited and delivered up to the registered proprietor for the time being of the copyright as his property."

Questions 4283–4, 5473.

We think, however, that the words "carry about" might be properly omitted, as the other words are sufficiently large; and further, that it should not be in the power of the proprietor of the copyright, or any person authorised by him, to seize, but that the clause should run: "without warrant by any peace officer under the orders and "responsibility of the proprietor of the copyright or of any person authorised," &c., or to that effect.

Questions 3381–3400, 3486–3494.

179. Besides providing penalties for various acts of infringement of copyright, and for fraudulently marking pictures with the names or marks of artists who are not the authors of them, which penalties we think are sufficient for the purpose, the present law prohibits the importation into the United Kingdom, except with the consent of the proprietor, of all repetitions, copies, or imitations of paintings, drawings, or photographs in which there is copyright, which have been made in any foreign state or in any other part of the British dominions than the United Kingdom. We think it is desirable to retain this prohibition, and that a somewhat similar prohibition might properly be extended to the exportation of unlawful repetitions, copies, and imitations.

Question 3276.

180. Whatever powers may be given to search for and seize piratical copies of paintings, and whatever penalties may be established, the same should be extended to sculpture and other works of fine art.

Piracy of Lectures.

181. We have already suggested some alterations in the law with respect to lectures. In case of piracy either by publication or re-delivery without the author's consent, we think there should be penalties recoverable by summary process, and that the author should be capable of recovering damages by action in case of serious injury, and of obtaining an injunction to prevent printed publication or re-delivery. If the piracy is committed by printed publication, we think the author should also have power to seize copies.

COLONIAL COPYRIGHT.

Ante, paragraphs 42–58.

182. We have already shown that in some important respects the state of the present copyright law, as regards the colonies, is anomalous and unsatisfactory, and we have suggested that a remedy may be found by providing that publication in any part of Your Majesty's dominions shall secure copyright throughout those dominions. It is unnecessary to recapitulate our reasons for making this suggestion, and we will only add that the difficulties which may arise in arranging the details of this change in the law, will not, we anticipate, be of a serious character.

183. There remain, however, other questions of some difficulty affecting the general body of readers in the colonies, with which we now proceed to deal.

184. It must be admitted that it is highly desirable that the literature of this country should be placed within easy reach of the colonies, and that with this view the Imperial Act should be modified, so as to meet the requirements of colonial readers.

185. In this country the disadvantage arising from the custom of publishing books in the first instance at a high price, is greatly lessened by the facilities afforded by means of clubs, book societies, and circulating libraries.

186. These means are not available, and indeed are impracticable, owing to the great distances and scattered population, in many of the colonies, and until the cheaper English editions have been published, the colonial reader can only obtain English copyright books by purchasing them at the high publishing prices, increased as those prices necessarily are by the expense of carriage and other charges incidental to the importation of the books from the United Kingdom.

187. Complaints of the operation of the Copyright Act of 1842 were heard soon after it was passed, and from the North American provinces urgent representations were made in favour of admitting into those provinces the cheap United States reprints of English works. In 1846 the Colonial Office and the Board of Trade admitted the justice and force of the considerations which had been pressed upon the Home Government, "as tending to show the injurious effects produced upon "our more distant colonists by the operation of the Imperial law of copyright." And in 1847 an Act was passed "To amend the law relating to the protection in "the colonies of works entitled to copyright in the United Kingdom." Parl. Paper Colonial Copyright, [29 July, 1872]. 10 & 11 Vict. c. 95.

188. The principle of this Act, commonly known as the Foreign Reprints Act, is to enable the colonies to take advantage of reprints of English copyright books made in foreign states, and at the same time to protect the interests of British authors.

189. It is provided, "that in case the legislature, or proper legislative authorities "in any British possession, shall be disposed to make due provision for securing or "protecting the rights of British authors in such possession, and shall pass an Act or "make an ordinance for that purpose, and shall transmit the same in the proper "manner to the Secretary of State, in order that it may be submitted to Her "Majesty, and in case Her Majesty shall be of opinion that such Act or ordinance "is sufficient for the purpose of securing to British authors reasonable protection "within such possession, it shall be lawful for Her Majesty, if she think fit so to do, "to express Her royal approval of such Act or ordinance, and thereupon to issue an "Order in Council, declaring that so long as the provisions of such Act or ordinance "continue in force within such colony, the prohibitions contained in the aforesaid "Acts (*i.e.*, the Copyright Act of 1842, and a certain Customs Act), and herein-"before recited, and any prohibitions contained in the said Acts, or in any other "Acts, against the importing, selling, letting out to hire, exposing for sale or hire, "or possessing foreign reprints of books first composed, written, printed, or pub-"lished in the United Kingdom, and entitled to copyright therein shall be suspended "so far as regards such colony."

190. Although the Act is general in its terms, the British possessions in North America were specially in view when it was passed, and for the following reason:—Between this country and the United States there was no existing copyright treaty, and it was the practice of the United States publishers to reprint in their own country English works at very cheap rates. These cheap copies, owing to various difficulties in giving practical effect to the provisions of the law prohibiting the importation, were largely introduced into Your Majesty's North American possessions.

191. Certain colonies, among others Canada, made what was at the time accepted by your Majesty in Council as sufficient provision for securing the rights of British authors, and thus brought themselves under the Act.

192. The provision made by the Canadian legislature was, that American reprints of English copyright works might be imported into the colony on payment of a customs duty of 12½ per cent., which was to be collected by the Canadian Government and paid to the British Government for the benefit of the authors interested. Like provisions were made in other colonies.

193. So far as British authors and owners of copyright are concerned, the Act has proved a complete failure. Foreign reprints of copyright works have been largely introduced into the colonies, and notably American reprints into the Dominion of Canada, but no returns, or returns of an absurdly small amount, have been made to the authors and owners. It appears from official reports that during the 10 years ending in 1876, the amount received from the whole of the 19 colonies which have taken advantage of the Act was only 1,155*l.* 13*s.* 2½*d.*; of which 1,084*l.* 13*s.* 3½*d.* was received from Canada; and that of these colonies, seven paid nothing whatever to the authors, while six now and then paid small sums amounting to a few shillings.

194. These very unsatisfactory results of the Foreign Reprints Act, and the knowledge that the works of British authors, in which there was copyright not only in the United Kingdom but also in the colonies, were openly reprinted in the United States, and imported into Canada without payment of duty, led to complaints from British authors and publishers; and strong efforts were made to obtain the repeal of the Act.

195. A counter-complaint was advanced by the Canadians. They contended that although they might import and sell American reprints on paying the duty, they were not allowed to re-publish British works, and to have the advantage of the trade, the sole benefit of which was, in effect, secured for the Americans. In defence

of themselves against the charge of negligence in collecting the duty, they alleged that owing to the vast extent of frontier and other local causes, and also from the neglect of English owners of copyright to give timely notice of copyright works to the local authorities, they had been unable to prevent the introduction of American reprints into the Dominion.

Questions 5839–5840.

Questions 3928, p. 202.

196. The Canadians proposed that they should be allowed to re-publish the books themselves under licenses from the Governor-General, and that the publishers so licensed should pay an excise duty of 12½ per cent. for the benefit of the authors. It was alleged that by these means the Canadians would be able to undersell the Americans, and so effectually to check smuggling; and further that the British author would be secured his remuneration, as the money would be certain to be collected in the form of an excise duty, though it could not be collected by means of the customs. Objections, however, were made to the proposal, and it was not carried out.

197. These considerations led to the suggestion that re-publication should be allowed in Canada under the authors' sanction, and copyright granted to the authors in the Dominion; and upon this a question arose whether Canadian editions, which would be probably much cheaper than the English, should be allowed to be imported into the United Kingdom and the other colonies.

198. Matters were in this state when "The Copyright Act of 1875," was passed by the Dominion legislature. The Act was sent over in the form of a Bill reserved for Your Majesty's assent; but as doubts were entertained whether the Act was not repugnant to Imperial legislation, and to the Order in Council made in 1868, by which the prohibitions against importing foreign reprints into the Dominion of Canada had been suspended, power was given to Your Majesty by an Imperial Act passed in 1875 to assent to the Canadian Bill, and thus make it law. Your Majesty's assent was subsequently given.

Question 3930, p. 208.

199. It is in this Imperial Act that a clause will be found, which has been strongly objected to by Mr. Farrer in his evidence before us, prohibiting the importation into the United Kingdom of Canadian reprints.

200. The Canadian Act gave to any person domiciled in Canada, or in any part of the British possessions, or being a citizen of any country having an international copyright treaty with the United Kingdom, being the author of any literary or artistic work, power to obtain copyright in Canada for 28 years, by printing, and publishing, or re-printing, or re-publishing, or, in the case of works of art, by producing or re-producing his work in Canada, and fulfilling certain specified conditions. The copyright thus capable of being secured by British copyright owners is in addition to and concurrent with the copyright they have throughout the British dominions under the Imperial Act.

Question 3930, p. 207. Appendix to Mr. Farrer's evidence, paper G., p. 373.

201. The Dominion Act has been in force for so short a time that it is difficult to ascertain its full effect; but from a return obtained from Canada by the Secretary of State for the Colonies in November 1876, it appears that 31 works of British authors had been published in Canada under the Act up to that date. A comparison of the prices of these works shows that if the English editions were sold in Canada at any price over about half a dollar, or 2*s.*, there was a reduction more or less considerable in the price of the Canadian edition, the reduction in one instance being as great as from $12 60 or 2*l.* 11*s.* 8½*d.* to $1 50 or 6*s.* 1¾*d.* It also appears that of many of the books re-published in Canada under the Act the American reprints were, as a rule, kept out of the Dominion; and that the prices of American reprints sold in the Dominion were higher than those of the Canadian reprints.

202. We have thought it desirable to give this brief sketch of the law of colonial copyright, as it enables us to explain more clearly the questions we have had to consider. The remedies we propose are intended to meet the grievance put forward by the colonial readers.

203. The main grievance, as we have already pointed out, lies in the difficulty experienced by the colonists in procuring, at a sufficiently cheap price, a supply of English copyright books.

204. The Canadian Copyright Act of 1875 may have the effect in time of securing cheap editions of British works in the Dominion. But, in the first place it is too soon to judge of this, and no similar Act has, as yet, been passed in other colonies; and in the second place, it is questionable whether such an Act would work at all in small colonies.

205. We may at once state that we do not propose to interfere with the Canadian Copyright Act, 1875, or with the principle of that law.

206. We recommend that the difficulty of securing a supply of English literature at cheap prices for colonial readers be met in two ways: 1st. By the introduction of a licensing system in the colonies: and, 2nd. By continuing, though with alterations, the provisions of the Foreign Reprints Act.

207. In proposing the introduction of a licensing system, it is not intended to interfere with the power now possessed by the Colonial Legislatures of dealing with the subject of copyright, so far as their own colonies are concerned. We recommend that in case the owner of a copyright work should not avail himself of the provisions of the copyright law (if any) in a colony, and in case no adequate provision be made by re-publication in the colony or otherwise, within a reasonable time after publication elsewhere, for a supply of the work sufficient for general sale and circulation in the colony, a license may, upon an application, be granted to re-publish the work in the colony, subject to a royalty in favour of the copyright owner of not less than a specified sum per cent. on the retail price, as may be settled by any local law. Effective provision for the due collection and transmission to the copyright owner of such royalty should be made by such law.

208. We do not feel that we can be more definite in our recommendation than this, nor indeed do we think that the details of such a law could be settled by the Imperial Legislature. We should prefer to leave the settlement of such details to special legislation in each colony.

209. With regard to the continuance of the Foreign Reprints Act, we have already stated that strong efforts have been made to procure its repeal. In March 1870, at a meeting of the leading authors and publishers over which the late Earl Stanhope presided, the following resolution was passed: "That a representation be made to the "Right Honourable the First Lord of the Treasury, pointing out the great hardship "sustained by British authors and publishers from the operation of the Imperial "Copyright Act of 1847, and stating the earnest desire they feel that Her Majesty's "Government may deem it right to propose its prompt repeal." 10 & 11 Vict. c. 95.

210. We are fully sensible of the weight that must attach to the opinion of persons so qualified to form a judgment on this matter, but upon careful consideration of the subject and of the peculiar position of many of Your Majesty's colonies—and upon this point we would refer to the answers returned by the colonies to Lord Kimberley's Circular Despatch of the 29th July 1873—we are not prepared to recommend the simple repeal of the Act of 1847, and the consequent determination of the power now vested in Your Majesty, of allowing the introduction of foreign reprints into colonies which have made due provision for securing the rights of British authors. Parl. Papers, Colonial Copyright. C., 1067. July 1874, and 144. 13 April, 1875.

211. We believe that although the system of republication under a license may be well adapted to some of the larger colonies, which have printing and publishing firms of their own, and which could reprint and re-publish for themselves with every prospect of fair remuneration, it would be practically inapplicable in the case of many of the smaller colonies. These latter now depend almost wholly on foreign reprints for a supply of literature; and to sweep away the Foreign Reprints Act without establishing some other system of supply would be to deprive them in a great measure of English books.

212. But we are of opinion that it has been proved necessary to amend the existing law, for the purpose of more effectually protecting the rights of owners of copyright, whilst affording to colonial readers the means of making themselves acquainted with the literature of the day.

213. As the provisions hitherto made in the different colonies to which Orders in Council have been applied, have failed to secure remuneration to proprietors of copyright, we recommend that power should be given to Your Majesty to repeal the existing Orders in Council; and that no future Order in Council should be made under that Act until sufficient provision has been made by local law for better securing the payment of the duty upon foreign reprints to the owners of copyright works.

214. Probably it would be desirable to grant a certain period to the colonies, for the purpose of enabling them to propose further and better provisions, before such revocation actually takes place. In that case, however, it should be clearly understood that Your Majesty is in no way pledged, by the grant of such delay, to issue any fresh Order in Council; and power should be given to Your Majesty in Council to revoke, at

any time, any future Order in Council, should the provisions of the colonial law prove practically insufficient.

215. It is perhaps hardly within the scope of this Commission to suggest what provisions Your Majesty should be advised to consider sufficient, within the meaning of the Act, to secure the rights of the proprietors of copyright. But it appears to us that possibly some arrangement might be effected, by which all foreign reprints should be sent to certain specified places in the colony, and should be there stamped with date of admission upon payment of the duty, which could then be transmitted here to the Treasury or Board of Trade for the author. All copies of foreign reprints not so stamped should be liable to seizure, and it is worthy of consideration whether some penalty might not also be affixed to the dealing with unstamped copies.

216. And having regard to the power which we have contemplated, for authors to obtain colonial copyright by re-publication in the colonies, and to the licensing system which we have suggested, we recommend that where an Order in Council for the admission of foreign reprints has been made, such reprints should not, unless with the consent of the owner of the copyright, be imported into a colony—

1. Where the owner has availed himself of the local copyright law, if any;
2. Where an adequate provision, as pointed out in paragraph 207, has been made; or,
3. After there has been a re-publication under the licensing system.

217. A subject of great moment with reference to colonial copyright, is the propriety of permitting the introduction of colonial reprints into the United Kingdom. This question has given rise to much discussion, as may be seen by reference to the correspondence, which, at the time The Canada Copyright Act, 1875 was under consideration, passed between the Colonial Office and the Board of Trade. Ultimately the 4th section of that Act was passed by which it is enacted, that, where any British copyright work has acquired copyright in Canada under the colonial Act by re-publication, it is unlawful for any person other than the owner to import Canadian reprints into the United Kingdom. This provision is analogous to that in force in the case of books reprinted in foreign countries.

Appendix to Mr. Farrer's evidence, paper H., p. 373.

Question 3930, p. 208.

218. We have been urged to recommend the repeal of that section, so far at all events as to admit the importation into the United Kingdom of copies published with the consent of the copyright owner.

219. We may state generally that authors and publishers, who are the persons most interested in copyrights, are strongly opposed to the introduction of colonial reprints into the United Kingdom, on the following grounds:—That the cheaper price of those reprints would cause great pecuniary loss to the owners of copyrights:—that the present system of trade, which has been found most remunerative to authors and publishers, would be disarranged:—and that publishers would not be willing or able to offer so much to authors for their works.

220. It is argued that, if importation is allowed, no copyright owner will consent to re-publication in the colonies by himself or others, because all such re-publications, being made with his consent, would be liable to be introduced here, and that the colonial readers would therefore suffer to a certain extent by the alteration in the law. This last argument will, however, lose its force, if effect is given to our suggestion of permitting re-publication in the Colonies under a licensing system.

221. The arguments in favour of admission of colonial reprints are based on consideration of the public interest, which is alleged to be greatly injured by the high prices at which books are now published—prices that are altogether prohibitory to the great mass of the reading public; and it is said that if the cheaper colonial editions were to be allowed in this country, the necessary effect would be that prices generally would be greatly reduced.

222. It is also urged that if the law gives British copyright owners the benefit of copyright throughout the empire, and the exclusive command of the colonial market, it is unfair to the British public that they should be deprived of the advantage they might derive from that extended copyright, and that they should be the only section of Your Majesty's subjects who are debarred from participating in the advantage of cheap colonial editions.

223. It is also said that it is a mistake to suppose that authors would really be injured by the introduction into the United Kingdom of the colonial editions, for that the profit which would be derived from the extended market would more than compensate for the loss resulting from publication at lower prices. Thus the public would

derive the benefit of cheap literature, while authors would reap profit equal to or greater than that they now enjoy.

224. The witness who principally advocated the introduction of these reprints was Mr. Farrer, the Permanent Secretary to the Board of Trade, which is the department specially charged with legislation affecting copyright. Having regard to the great attention he has devoted to the subject and to his official position, we desire to state that we think his opinions are entitled to much consideration. The arguments adduced by him will be found fully stated in his evidence. Question 5819. Questions 3930, p. 208, 5054, 5081–90, 5315–44.

225. We have carefully weighed this evidence with the views of other persons who are opposed to the introduction of colonial reprints into the United Kingdom; and on the whole we think that the admission of such reprints would probably operate injuriously towards British authors and publishers, and that it is doubtful if it would be attended in many cases with the result anticipated by Mr. Farrer, that is to say, the cheapening of books for home consumption. We think the almost certain result would be, that it would operate as a preventive to re-publication in the colonies by authors themselves, so that, if no publisher re-published under the licensing system, the colonial reader would be in no better condition than he is now.

226. We therefore think that colonial reprints of copyright works first published in the United Kingdom should not be admitted into the United Kingdom without the consent of the copyright owners; and, conversely, that reprints in the United Kingdom of copyright works first published in any colony should not be admitted into such colony without the consent of the copyright owners.

227. It will have been observed that in suggesting the above alterations in the existing law of copyright, we have not proposed to interfere with the existing powers of colonial legislatures to deal with this subject. An author who first publishes in a colony should only be entitled to secure copyright throughout the British dominions, if he complies with the requirements of the copyright law for the time being of that colony. It will rest, therefore, with each colonial legislature to determine the nature of those requirements, such as registration, deposit of copy, and so forth; and we cannot doubt that they will be alive to the expediency of adopting for the colony, so far as it is practicable, the principal provisions of the Imperial Act, which, if effect be given to our suggestions, will, as to all such matters of detail, be hereafter limited to the United Kingdom. By this means uniformity of practice will be secured throughout Your Majesty's dominions, and certain difficulties will be avoided, which might arise if, for example, registration were in some colonies compulsory, and in others voluntary.

228. But important as uniformity is in matters of detail, it becomes still more important in respect of the term to be fixed for the duration of copyright. As the law now stands, we apprehend that each colony has a right to decide what shall be the term during which an author who publishes in the colony shall have copyright therein. The exercise of this power does not, it is true, override the provisions of the Imperial Act, which gives copyright in such colony to a work first published in the United Kingdom, but the existence of this double term is inconvenient. If, as we recommend, publication in any colony shall for the future secure copyright throughout all Your Majesty's dominions, in the same way and for the same term as if the work had been first published in this country, the necessity for fixing a term for duration of a copyright in a colony will practically cease. In truth the difference between colonial and imperial copyright will disappear, as colonial copyright will merge into imperial copyright; and we may fairly assume that where, as in Canada and at the Cape, a term has been fixed for copyright in the colony different from that fixed by the Imperial Act, the colonial legislature will be ready to repeal *pro tanto* the colonial law, and to confine legislation to matters of detail.

229. Should, however, our anticipations on this point be incorrect, it will become a question whether, with a view to secure uniformity, the concession to any colony might not be made conditional upon the adoption by the legislature of such colony of the same term as that fixed for the time being by the Imperial Act.

230. In concluding our remarks upon this part of the subject, we recommend that the production of a copy of the colonial register (if any), certified by some duly authorised officer in that behalf, shall be *primâ facie* evidence in Your Majesty's Courts of

compliance with the requirements of the local law, and of the title to copyright of the person named therein. A provision to this effect would have to be made by the different colonial legislatures for the guidance of colonial courts.

231. It has been suggested to us that some re-registration, or notice of the original registration, should be made in England of a work published in a colony, and that a copy of every work published in the colonies should be deposited at the British Museum, within a certain time after publication. Upon the whole we are not disposed to recommend the adoption of either of these suggestions. Publication in a colony will give copyright throughout the British dominions, and if re-registration of the work is desirable in England, it is equally so in all the other British possessions in which the work obtains copyright. But to require such a general re-registration would throw a considerable burden upon the owners of colonial copyright, and it appears to us not unreasonable to call upon a person who desires to reprint a work which has already been published to take the necessary steps to ascertain whether the work has been duly published and, if necessary, registered in the place of publication, and whether the term of copyright has expired. Should, however, a notice of registration be thought desirable, we suggest that it should be officially given by the registering department in the United Kingdom or colony; and the fee for original registration might be made to cover the expenses of giving such notice.

232. As regards the second suggestion, we are of opinion that the Trustees of the British Museum may fairly be expected to purchase such colonial works as they want, considering that the author or owner of the copyright will doubtless be required by local law to deposit a copy in the place of publication. Indeed it was stated to us by officers of the British Museum that many such works are now purchased.

Question 1665.

INTERNATIONAL COPYRIGHT.

The American Question.

233. As to continental nations, few questions have, in the course of our inquiry, been raised with regard to the general regulations of international copyright; but we find it to be impossible to exclude from examination the present condition of the copyright question between Great Britain and the United States. There is no international protection of copyright as between ourselves and the Americans, although, owing to causes to be presently referred to, the United States is of all nations the one in which British authors are most concerned,—the nation in regard to which the absence of a copyright convention gives rise to the greatest hardships.

234. When deciding upon the terms in which we should report upon this subject, we have felt the extreme delicacy of our position in expressing an opinion upon the policy and laws of a friendly nation, with regard to which a keen sense of injury is entertained by British authors. Nevertheless, we have deemed it our duty to state the facts brought to our knowledge, and frankly to draw the conclusions to which they lead.

235. Although with most of the nations of the continent treaties have been made, whereby reciprocal protection has been secured for the authors of those countries and Your Majesty's subjects, it has hitherto been found impracticable to arrange any terms with the American people. We proceed to indicate what in our view are the difficulties which have impeded a settlement.

236. The main difficulty undoubtedly arises from the fact that, although the language of the two countries is identical, the original works published in America are, as yet, less numerous than those published in Great Britain. This naturally affords a temptation to the Americans to take advantage of the works of the older country, and at the same time tends to diminish the inducement to publish original works. It is the opinion of some of those who gave evidence on this subject, and it appears to be plain, that the effect of the existing state of things is to check the growth of American literature, since it is impossible for American authors to contend at a profit with a constant supply of works, the use of which costs the American publisher little or nothing.

Questions 598–601, 1365–1372, 1840–1848.

237. Were there in American law no recognition of the rights of authors, no copyright legislation, the position of the United States would be logical. But they have copyright laws; they afford protection to citizen or resident authors, while they

exclude all others from the benefit of that protection. The position of the American people in this respect is the more striking, from the circumstance that, with regard to the analogous right of patents for inventions, they have entered into a treaty with this country for the reciprocal protection of inventors.

238. Great Britain is the nation which naturally suffers the most from this policy. The works of her authors and artists may be and generally are taken without leave by American publishers, sometimes mutilated, issued at cheap rates to a population of forty millions, perhaps the most active readers in the world, and not seldom in forms objectionable to the feelings of the original author or artist.

239. Incidentally, moreover, the injury is intensified. The circulation of such reprints is not confined to the United States. They are exported to British Colonies, and particularly to Canada, in all of which the authors are theoretically protected by the Imperial law. The attempts which were made, by legalising the introduction of these reprints into Canada, to secure a fair remuneration to British copyright owners have, as we have shown, completely failed. *Ante*. para. 193.

240. This system of reproduction is not confined to books, but extends to music and the drama, and we have been told that it is not an uncommon thing when a new play by an author of eminence is produced in London, for shorthand-writers to attend and take down the words of the play for transmission to the United States. Questions 2507 and 2639.

241. But though there is no law in the United States to protect a foreign work from republication by any number of publishers, the natural result of general publication and rivalry was to make the competition which arose disastrous to those engaged in it. Firms of eminence and respectability rivalled each other in the efforts of their agents in England to secure early sheets of important works, but when the sheets were obtained, and an edition issued at a moderate price, some other firm would undertake to supply the public with the same article at a lesser rate. American publishers were thus obliged to take steps for their own protection. This was effected by an arrangement among themselves. The terms of this understanding are, that the trade generally will recognise the priority of right to republication of a British work as existing in the American publisher who can secure priority of issue in the United States. This priority may be secured either by an arrangement with the author, or in any other way. The understanding, however, is not legally binding, and is rather a result of convenience and of a growing disposition to recognise the claims of British authors, than of actual agreement. Questions 902–906, 1298–1302, 1906–1909, 3587, and 5269.

242. The effect of this trade understanding has no doubt been profitable to a certain number of British copyright owners, since, now that American publishers are practically secured from competition at home, it is worth while for them to rival each other abroad in their offers for early sheets of important works. We are assured that there are cases in which authors reap substantial results from these arrangements, and instances are even known in which an English author's returns from the United States exceed the profits of his British sale, but in the case of a successful book by a new author it would appear that this understanding affords no protection. Even in the case of eminent men, we have no reason to believe that the arrangements possible under the existing conditions are at all equivalent to the returns which they would secure under a copyright convention between Your Majesty and the United States. Questions 1280–1283, 1298–1307, 1379–1380, 2664–2671.

243. We may remark in this place that as authors of books in some cases obtain payment for early sheets from American publishers, so also dramatic authors of note sometimes obtain remuneration for the right to perform their plays. There appears, however, to be a difference in the law relating to books and plays in the United States; for although the English author of a book can give no copyright to an American publisher, yet it is stated that the author of an English play can give an American theatrical manager a right of representation, if the play has not been published anywhere as a book, and for this purpose a distinction is made between such publication and public performance. Question 2594. Questions 2556 and 2586–2595

244. It is, without doubt, a general opinion that a copyright convention with the United States is most desirable. We have, therefore, endeavoured during our inquiry to ascertain the feeling of Americans on the subject, and wherein, if at all, their interests would be prejudiced. We have also endeavoured to find out what practical difficulty there is in the way of such a convention, and if by any means such difficulty can be surmounted. Questions 544, 876.

Steph. Dig., Art. 6.
Questions 97–99, 133–135, 1313–1315, 1454–1456.

245. It may be stated that American authors have not the same need of a convention as those of Great Britain, since our law affords copyright protection throughout the British dominions to foreigners as well as to Your Majesty's subjects, provided they publish their books in the United Kingdom before bringing them out elsewhere, while the American law, unlike ours, does not make first publication at home a condition for obtaining copyright. It is consequently the practice of some American authors to publish their books first in England, and so to obtain British copyright, and then to re-publish them in the United States and obtain American copyright, or to publish in the two countries almost simultaneously.

Questions 1819, 1820, 1839–1844, and 1448.
Questions 1365–1372, 598–601.

246. We have it in evidence from Mr. Putnam, a member of a large American publishing firm, that American authors are unanimous as to the advantage of international copyright between the United States and this country. We have also been told by another American witness that as publishers can bring out reprints of English books without paying the authors, it is so much more to their interest to do so than to pay American authors, that they frequently refuse to publish American works unless at a low rate of payment. Hence it appears that, in the opinion of many Americans, international copyright is desirable for American authors.

Question 1376.

247. This question has been before the United States legislature on more than one occasion, and the Senate has twice agreed in a recommendation made to them by the Government on the subject.

Questions 1192, 1478–9, 3541–3557.

248. We are therefore satisfied that, though there are other obstacles, the most active opposition in the United States arises from the publishing and printing interests. It is feared that if there were international copyright, British authors would be able to select their own mode of manufacturing their books, and to choose their own publishers, and that they would in many cases have their books printed in this country, and perhaps prepared for sale, so as to avoid the expense of producing them in America. Moreover, the American publisher fears the competition of the English publisher, because at the present time books cannot be as cheaply manufactured in the United States as in Great Britain; and, but for the protective tariff, there would no doubt be a great inducement to British publishers to compete with those of America in the large and important market of the United States.

Question 1192.

249. These fears have indeed been urged with a discouraging effect upon the negotiations and proposals for international copyright, and have induced the Americans to claim that the privilege of copyright in the United States should only be granted on condition that the book is wholly re-manufactured and republished in America. On the other hand the British copyright owner feels that such conditions would lead, in many cases, to a useless outlay for the re-manufacture of stereotype plates and the reproduction of illustrations, practically at his expense and to his loss, because this outlay would have to be taken into account by the publisher in considering the sum he could afford to pay for authorship. While the English author desires not to be restricted in the selection of a publisher, he apparently does not care much whether the publisher be an American or an Englishman.

250. Although it has hitherto been the practice, we believe, of Your Majesty's Government to make international copyright treaties only with countries which are willing to give British subjects the full advantage of their domestic copyright laws, untrammelled by commercial restrictions, in exchange for the protection afforded to their subjects by our own copyright laws, yet we think it not unreasonable for the American people to wish to ensure the publication of editions suited to their large and peculiar market, if they enter into a copyright treaty with this country. On the whole, therefore, we are of opinion that an arrangement by which British copyright owners could acquire United States copyright by reprinting and republishing their books in America, but without being put under the condition of reproducing the illustrations or re-manufacturing the stereotype plates there, would not be unsatisfactory to Your Majesty's subjects, and that it would be looked upon more favourably in the United States than any other plan now before us.

Questions 140–143, 1316–1318, 1457–1460.

251. It has been suggested to us that this country would be justified in taking steps of a retaliatory character, with a view of enforcing, incidentally, that protection from the United States which we accord to them. This might be done by withdrawing from the Americans the privilege of copyright on first publication in this country.

We have, however, come to the conclusion that, on the highest public grounds of policy and expediency, it is advisable that our law should be based on correct principles, irrespectively of the opinions or the policy of other nations. We admit the propriety of protecting copyright, and it appears to us that the principle of copyright, if admitted, is one of universal application. We therefore recommend that this country should pursue the policy of recognising the author's rights, irrespective of nationality.

252. Before leaving this subject we ought to notice a suggestion that was made to us by Mr. Edward Dicey, one of the witnesses who gave evidence before us. He thought that it might be possible for a mixed commission to arrange terms for a copyright convention, which would be mutually acceptable. Looking to the great importance of securing an international convention with the United States, we venture to express our opinion that the appointment of such a mixed commission to examine into and report upon the whole subject might be attended with advantage. Questions 1474–1479.

Amendments required in the existing Law as to Registration, Deposit of Copy, Translations, &c.

253. Having thus reported to Your Majesty the result of our inquiry, so far as it relates to the American question, we pass on to several matters of detail, relating to international copyright, in which it has been represented to us that amendment in the law is required.

254. With reference to these we may call attention specially to the evidence of Monsieur Gavard, who, as representing the French Government, favoured us by giving evidence on sundry points in the law from which inconvenience and annoyance arise to subjects of those states with which we have copyright conventions. We believe the objections pointed out by him are shared by other nations, and in particular by Germany.

255. Before proceeding to notice these points specifically, we may call attention to the fact that in the year 1851 a copyright convention was concluded between Your Majesty and the French Government, and that as some of the stipulations on the part of Your Majesty required the authority of Parliament, an Act was passed to give the necessary authority and to enable Your Majesty to make similar stipulations in any treaty on the subject of copyright which might thereafter be concluded with any foreign power. Statute 15 & 16 Vict c. 12.

256. The formalities imposed by this and other conventions as conditions for obtaining copyright, give rise to some of the inconvenience and annoyance to which we have alluded.

257. As this inconvenience and annoyance depend upon the terms of the conventions as well as upon our law, it will be necessary that those terms should be amended, if it be decided to give effect to any of the changes we are about to propose.

Registration, Deposit of Copy, and Evidence of Copyright.

258. Our attention has been directed to the necessity for registration in this country of foreign works which have copyright in the country of production, and for deposit of copies in certain cases, before copyright can be secured in this country. Questions 1763–1773 and 3724.

259. Although registration and deposit of British works, as has been pointed out, are not essential to the acquisition of copyright in this country, they are both essential for the purposes of international copyright in the cases of books, dramatic pieces, musical compositions, engravings and prints, while for sculpture registration only is necessary.

260. The French are desirous that the necessity for registration and for the deposit of copies of French works at the British Museum, and of English works at the National Library in Paris, should be dispensed with, and that in either case compliance with the requirements of the law of the country of publication should be deemed sufficient. Questions 1763, 1764.

261. It appears that the French have copyright conventions with 37 states, and that none of these, with two exceptions, namely, England and Spain, require a copy of the work to be deposited, and that four countries which require registration are Questions 1769–1772 and 3725.

satisfied that it shall be performed at their legations in Paris, and do not require it in their own countries.

Question 1764. 262. Monsieur Gavard stated that "if an author were obliged to deposit and register "his work in every country, it would be a serious burden to him, because of the price "of each copy and the difficulty of making the deposit in due time everywhere."

263. As to registration of foreign works, the principal object in insisting on such a formality is that, in the event of legal proceedings, the register may be *primâ facie* proof of the title to copyright, and that the necessity for bringing witnesses from other countries to Your Majesty's courts may be avoided.

264. Except for this purpose, we think such registration unnecessary, and we believe the evidence may be supplied by another provision, equally effectual, and yet free from the objections that have been made to registration.

265. We propose that registration of foreign works in this country should not be required for the purpose of securing copyright here, or the right of representation or performance of musical and dramatic works, and that the production of a copy of the foreign register, attested by a British diplomatic or consular officer, should, in all legal proceedings, be *primâ facie* evidence of title to the copyright of the foreign work.

266. We shall presently have to deal with English translations of foreign works and adaptations of foreign plays to the British stage, but we may state in this place that we do not intend the above remarks and the proposal we have made to apply to them if published in this country. In that event they should, in our opinion, be regarded as English works, for the purposes of registration and deposit, and be subject to English law; but we think that if a translation of a book or other work, or an adaptation of a dramatic piece, be published in a foreign country, a copy of the foreign register, attested by a British diplomatic or consular officer, should, as in the case of original works, be *primâ facie* evidence in all legal proceedings of the title to the copyright in the translation or adaptation.

267. We also propose that the obligation to deposit copies of foreign books and other works for which authors may desire to obtain copyright in Your Majesty's dominions should be abandoned.

Questions 1642–1645. 268. With a view to ascertaining whether we could with propriety make this suggestion we consulted Mr. Winter Jones, the Principal Librarian of the British Museum, and he stated that he did not think the right was of any value; that only works for which authors desired to obtain copyright were sent; and that the greater part of them were music, and not works of importance to the collection at the Museum. Question 1644. The witness also told us that in the year 1875 the Trustees of the British Museum had informed the Board of Trade that they would not object to relinquish the article of the convention with the French Government which relates to the deposit of books at the Museum.

269. We need scarcely say that, if it should be determined to give up the right to copies of foreign books, foreign Governments should be requested to give up their rights to deposit of English books. We have been informed that the French Government is willing to do so.

270. If, according to the request of the French Government, registration and deposit of copies and all formal acts for the purpose of obtaining copyright for works in France and in this country respectively be given up, it becomes a question how the people of one state are to know what works of the other are protected, and what are not. Questions 1779–1787. Monsieur Gavard suggested that every book published in France should have a right to protection in England under the general law, and that every book published in England should be protected in France. A difficulty, however, arises, if forms are required in the country of production to secure copyright there. If those forms have not been complied with, is the book to be protected abroad though it is not protected at home? Questions also may arise as to whether copyrights have expired. Monsieur Gavard was, we think, only considering the case of French books, and the system of compulsory registration and deposit adopted in France, when he made the proposal, but we have to consider our own law, as well as the regulations of those states with which copyright conventions may hereafter be made. We think the best way of treating

this question will be by allowing a presumption that every book has copyright and is protected in the country of production; but, in case of legal proceedings, if the copyright in the country of production is disputed, proof of copyright should be required; and, as we have already proposed, such proof should be supplied by the production of an attested copy of the foreign register.

The Right of Translation, Copyright in Translations, and Adaptation of Foreign Plays to the English Stage.

271. By the present law Your Majesty may, by Order in Council, direct that authors of books published in any foreign country shall, subject to certain conditions, be empowered to prevent the publication in the British dominions of unauthorised translations. This is to be done for a time to be specified in Your Majesty's Order, which shall not extend beyond five years from the publication of an authorised translation. On such Order being made, the laws for the protection of British copyright apply to prevent unauthorised translations. Steph. Dig., Art. 43. 15 & 16 Vict. c. 12. sect. 2. Sect. 3.

272. In like manner Your Majesty may, by Order in Council, direct that authors of dramatic pieces first publicly represented abroad may, subject to certain conditions, be empowered to prevent the representation in the British dominions of unauthorised translations of such pieces for a time not extending beyond five years from the first public performance or publication of an authorised translation. On such Order being made the right of representation of translations is protected. Sect. 4. Sect. 5.

273. The conditions we have referred to are as follows:— Sect. 8.

1. The original work must be registered and a copy deposited in the United Kingdom within three months of first publication in the foreign country. Steph. Dig., Art. 44.
2. The author must notify on the original work that it is his intention to reserve the right of translation.
3. An authorised translation of the original work, or a part of it, must be published, either in the foreign country or in the British dominions, not later than one year after the registration and deposit in the United Kingdom, and the whole of the translation must be published within three years from such registration and deposit.
4. The authorised translation must be registered, and a copy deposited in the United Kingdom, within a time to be mentioned in the Order.
5. In the case of books published in parts, each part must be registered and deposited in this country.
6. In the case of dramatic pieces, the authorised translation must be published within three months from registration of the original work.

274. Sundry objections to these conditions have been brought to our notice, on the ground that they are unreasonable, inconvenient, or useless.

275. In considering this subject it is necessary not to lose sight of the distinction between a right of translation and copyright in a translation. We have referred in paragraph 266 to the latter, when we recommended that if a translation be made abroad, no registration or deposit should be required, but that if it should be made in the United Kingdom, it should be regarded as an English work, and be subject to English law on these points.

276. It will be seen that the right of translation, both of books and plays, is by the present law, made to depend upon registration and deposit, not only of the original work, but also of an authorised translation. We have already dealt with the subject of registration and deposit of original foreign works for the purpose of obtaining copyright in them, and as we recommended that these forms should not be required in future for that purpose, we think it would be inconsistent if we did not also recommend that they should not be required for the purpose of protecting the right of translation. Apart, however, from the inconsistency, we are satisfied that, as it is unnecessary to insist on these forms in the one case, it is equally so in the other. We therefore propose that they shall be omitted from any future law.

277. Independently of registration and deposit of an authorised translation, one condition for the preservation of the right of translation is, that in the case of a book, an authorised translation of a part at least must be published, either in this or the

foreign country, within one year of the registration and deposit, and the whole must be published within three years from that time; and in the case of dramatic pieces, that the authorised translation must be published within three months from registration and deposit.

Questions 1788–1799.

278. Monsieur Gavard represented to us that in the opinion of the French Government the period was too short, as it was found to be impossible to ascertain in the country of origin in so short a time, whether a work would be sufficiently successful to warrant a translation. He asked for an extension of the shorter period for partial translation, and suggested that if the period of one year for partial translation were extended to three years, the period of three years for complete translation should be proportionately extended; but as that would allow an author nine years during which no other person could issue a translation, we think such an extension of time would be unreasonable.

279. Instead of simply extending the periods for partial and complete translation, we think the better course will be, that an unconditional right of translation shall be reserved to every foreign author, belonging to any state with which Your Majesty has entered into a copyright convention, for three years after publication of the original work.

280. The duration of the right of translation is not at present fixed by law, but, by the 2nd and 4th sections of the Act which was passed in the 15th and 16th years of Your Majesty's reign, it has to be specified in the Orders in Council under which authors are enabled to prevent translations. The duration may thus vary in the case of different nations with which copyright conventions may have been made.

Questions 1799–1802.

281. Under the treaty with France the period for the right of translation is at present five years. Monsieur Gavard proposed, in the interest of authors, that this period should be extended to ten years. We are disposed to concur in this proposition, as we think five years must in many instances be insufficient to secure a fair remuneration for the labour and outlay attendant upon the publication of a translation.

282. It is a question whether this change should be effected by any alteration in our law, or whether it should be carried out by amendment in the terms of the convention with France. In considering this question it is, of course, to be borne in mind, that although the Act of the 15th and 16th years of Your Majesty's reign was passed specially with reference to the convention then recently concluded with the French Republic, it was designed also to enable Your Majesty to enter into engagements with other States. If, therefore, our law should be altered, and the time for the duration of the right of translation should be fixed by Act of Parliament, that time must be the same in all cases, whatever may be the nationality of the author, and whether a similar period can or cannot be secured for Your Majesty's subjects in his country. Reciprocity must therefore to that extent be sacrificed. We are, however, inclined to think that uniformity, and therefore certainty, in the duration of the right of translation is more desirable than strict reciprocity. At present, before it can be known whether a translation has copyright, and whether a right of translation is subsisting in the author, inquiry must be made as to the nationality of the translator, whether the translation was published in this or some other, and what country, by what convention (if any) it is governed, what is the duration of the right of translation under that convention, and whether the period is still subsisting.

283. The necessity for these inquiries is obviously objectionable, and the existence of the right of translation must frequently be difficult to ascertain. It appears to us that it will be better to sacrifice reciprocity in some cases than to perpetuate the evil. We have, therefore, determined to recommend, that if an author publishes an English translation of his work in this country, within the three years during which we have proposed to reserve the right of translation for him, his work shall be protected against unauthorised translations for a period of ten years from the date of publication of such translation.

284. With regard to the right of publication or representation of translations of dramatic pieces, we have shown that not only are the same formalities required as in the case of the right of translation of books, but that the publication of the authorised translation must be within three months of the registration of the original work.

285. Monsieur Gavard, on behalf of the French Government, proposed an extension of this term to three years, on the ground that the time allowed was too short to ascertain if a piece would prove a success, and be worth translating. Questions 1934–1943.

286. If the condition of publishing a translation as explained in paragraph 273 be retained, we are inclined to think that the period of three months should be considerably extended. We have, however, been told that the translation of the piece, now required to be made, registered, deposited, and published is costly and wholly useless. It appears that the translation required to protect the right is a literal translation, which is utterly worthless for stage purposes, and that without alteration and adaptation, translations of foreign plays could not be represented on the British stage. Questions 2623–2634.

287. In connexion with this subject we ought to remark, that until recently there was another objection on the part of the French government to our law. This had reference to the practice which was permitted of imitating and adapting French plays for the English stage, and to the 6th section of the Act which was passed in the 15th and 16th years of Your Majesty's reign.

288. Although the original of a French play might have obtained copyright in this country, and although the author might have secured the right of translation, he was not protected against imitation and adaptation. Indeed, the Act expressly states in the 6th section, that nothing therein contained should be so construed as to prevent fair imitations or adaptations to the English stage of any dramatic piece or musical composition published in any foreign country.

289. To remove this objection it was enacted that it should be lawful for Your Majesty, in any Order in Council made for the purpose of extending protection to translations of dramatic pieces first publicly represented abroad, to direct that the 6th section of the above-mentioned Act should not apply to such dramatic pieces, and that thereupon the Act should take effect as if the 6th section were repealed. This provision was considered satisfactory. 38 Vict. c. 12.

290. We propose, however, to put the right of translation and adaptation of dramatic pieces and the right of performance of translations and adaptations on the same footing as the right of translation of literary works. We recommend, therefore, in the first place, that there shall be no obligation to publish a literal translation, in order to acquire these rights, but that, in countries with which international treaties exist, a right to translate and adapt to the English stage shall be reserved to the foreign dramatist, for a period of three years from publication or first public representation of the original work. We recommend also, that if an authorised translation or adaptation be published in this country within the three years, the dramatist's work shall be protected against unauthorised translations, adaptations, and imitations for a period of ten years from publication or first public representation in this country of the translation or adaptation.

291. Independently of the rights of translation and adaptation, the copyright of the translator or adapter in his translation or adaptation and the right of representation have to be considered. With regard to these points, translators, whether of plays or books, and adapters of dramatic works to the English stage should, in our opinion, have the same rights as authors of original works; and the right of representation on the stage of a translation or adaptation should endure for the same term as if the translation or adaptation were an original work.

292. If, however, our proposals should be adopted, some provision will be required for cases in which the foreign author, whether his work be a book or a play, is not himself the translator or adapter. The author rarely translates or adapts his own work, and we therefore think that all rights in authorised translations and adaptations made for a foreign author should be regarded as made by him, but that if they are made by a British subject for himself, under a license or assignment, all rights, whether of copyright or of representation, in respect of such translations and adaptations, should belong to such British subject.

293. We may add, that if a foreign author fail to take the necessary steps to secure his copyright within the three years, it should be open to any person to secure copyright in any translation or adaptation he may make.

294. In concluding our labours we beg leave to express our hope that we have duly considered and made our report upon all the matters intended to be referred to us by Your Majesty's Commission. We are conscious that there may be points of detail upon which we have not touched, but these, if noticed by us, would have lengthened our Report, without, as we think, affording any substantial assistance to those upon whom the duty of legislating may hereafter devolve.

All which is humbly submitted to Your Majesty's gracious consideration.

Dated the 24th day of May 1878.

JOHN MANNERS. (L.S.)
Subject to my Dissent from a part of paragraph 150.

DEVON. (L.S.)

CHARLES LAWRENCE YOUNG. (L.S.)
Subject to my Note appended hereto.

H. T. HOLLAND. (L.S.)

JOHN ROSE. (L.S.)
Subject to Dissent and Separate Report.

H. DRUMMOND WOLFF. (L.S.)
Subject to my Separate Report and Dissent from part of paragraph 150.

J. F. STEPHEN. (L.S.)
Subject to a Note appended hereto.

JULIUS BENEDICT. (L.S.)

F. HERSCHELL. (L.S.)

EDWARD JENKINS. (L.S.)
Subject to my Separate Report.

WM. SMITH. (L.S.)
Subject to my Dissent from a part of paragraph 150.

J. A. FROUDE. (L.S.)

ANTHONY TROLLOPE. (L.S.)
Subject to my Note of Dissent as to paragraphs 153 and 154.

FREDERICK RICHARD DALDY. (L.S.)
Subject to my Note of Dissent as to paragraphs 147 and 154.

Dissent from the Report of the Commissioners, relative to Registration of Copyright.

1. We are unable to concur in recommending the transference of registration from Stationers' Hall to a Government office.

2. With the improvements of the present system suggested in paragraphs 143 to 148 inclusive, we are of opinion that the work of registration might safely and advantageously continue to be done at Stationers' Hall, and we are not disposed to deprive an ancient company of public functions which it is willing and able to discharge.

JOHN MANNERS. (L.S.)
H. DRUMMOND WOLFF. (L.S.)
WM. SMITH. (L.S.)

Note appended to the Signature of Sir Charles L. Young.

With reference to the term for which copyright should last, I agree with Sir Louis Mallet in thinking that the term should be "a fixed number of years to be reckoned from the date of registration." I am of opinion that such a limitation is the most simple, reasonable, and practical; and I adopt his suggestion that, in the case of books, a period of 50 years is a proper time for a work to be protected. I am further in accord with Sir Louis Mallet in considering "that the works of a British author, "wherever they are first published, should be entitled to the same benefits, remedies, "and privileges as they would be entitled to under the existing Imperial Act if they "had been first published in the United Kingdom."

With reference to the dramatisation of novels, I am inclined to think that the conclusions arrived at in paragraphs 80 and 81 of the Report should be modified. I do not see why a novelist should have an absolute right of preventing his fiction being presented to the public in a dramatic form—a right which the recommendations of these paragraphs appear to give him,—and therefore I venture to suggest that at the expiration of five years from the date of registration of a work of fiction, it should be open to any dramatic author to take such work (if not already dramatised by the novelist, or with his consent) and adapt it for representation on the stage, on the condition of his paying a percentage of the profits to the original author.

I think that paragraph 88, referring to newspapers, should have drawn attention to the case of weekly journals which, in the present uncertain state of the law, are in a peculiarly difficult position. Original articles so published, and having nothing to do with ordinary news or politics, ought, in my opinion, to be amply protected from unauthorised and contemporaneous re-publication.

CHARLES LAWRENCE YOUNG. (L.S.)

Separate Report by Sir John Rose, Bart., K.C.M.G.

1. I am unable to concur in the 225th and 226th paragraphs of the Report, which recommend the exclusion from one part of the Empire of works published with the consent of the author in any other part.

2. While no change, calculated even remotely, to affect the interest of authors unfavourably, ought to be lightly proposed by way of experiment, it seems difficult, on principle, to reconcile the exclusion from Great Britain of copies published in a colony, with the recommendation that publication in any part of Her Majesty's Dominions shall confer copyright throughout those dominions, a privilege now attainable under the existing law only on condition of first publication in the United Kingdom.

3. The aim of the branch of the Report on colonial copyright is undoubtedly to place the question rather on an Imperial than a local footing; to abolish restrictions as to local publication, and to encourage the manufacture and free circulation of books (no matter where published) in all parts of the Empire. Its object is also to provide in favour of the author, not only a more extended field of competition for the publication

of his works, but at the same time to ensure him new and effectual means of protection in all parts of Her Majesty's dominions against unauthorised copies. In return for these advantages it seems not unreasonable to require that there should be some equivalent in favour of the public, and I cannot but think that the anticipated injury to the author from the importation of colonial copies into Great Britain (arising from the fear that English publishers would not make as favourable arrangements with him as they would were a monopoly of the English market secured to them) is illusory.

4. It is argued that the author, considering this to be a real danger, and having the remedy in his own hands, would not consent to colonial publication; were copies printed there allowed to come to Great Britain; but that if he refused he would be liable to have his book published in the colony subject to a royalty—a plan less to his taste and advantage than arranging with a publisher of his own choice there. One answer to this objection, however, is that he may supply the colonial market with cheap editions published in England,—the right to print on a royalty being only recommended in case the colony is not supplied with editions suitable to its circumstances at a reasonable price. But it is said, there is still the fear that any cheap editions so exported for colonial use would come back to the United Kingdom. This would only be the case, if a taste for cheap, as opposed to dear, editions became general and marked here; and if it did so, it seems difficult to justify an artificial rule which would repress such a taste by restricting the circulation of a book printed in Great Britain to a particular place, while copyright was at the same time secured to that book throughout the Empire. It does not seem defensible that the authority of Parliament should be invoked to debar Her Majesty's subjects residing in the United Kingdom from obtaining—should they desire it—literary productions on the same terms as those who reside in a colony. Nor does it seem consistent to sanction a rule by which English copies may be imported into a colony, while colonial editions are precluded from admission to the United Kingdom; for it must be noted that Parliament has already (vide the Canadian Copyright Act) sanctioned the principle that colonial copyright shall not exclude English editions, but only foreign reprints from the colony. It is to be noted also that the recommendation contained in the 226th paragraph of the Report, that English copies shall not be admitted to the colony, is limited to the case of books "first published in the colony," but does not extend either to the case (which would undoubtedly apply to the great majority of books) of first publication in the United Kingdom, nor to the case of publication on a royalty, within the colony. In both these cases English editions may be sent to the colony, and the proposed exclusion of colonial editions from the United Kingdom seems at variance with the principle so applied.

5. While the effect of high-priced editions in restricting the benefits of co-temporary literature in Great Britain, may be to some extent mitigated by the facilities afforded by circulating libraries and book clubs, I cannot but think it to be an object of serious public concern to avoid interposing any unnecessary obstacles to the enlarged dissemination, as well as to the permanent acquisition, of literary works, by the masses, on terms within the reach of their means.

6. So long, however, as the taste and habits of readers in the United Kingdom induce them to prefer the present expensive editions, it is hardly within the bounds of probability that colonial enterprise could for many years to come compete, as respects editions of that character, with English publishers, with their larger capital, cheaper labour, intimate knowledge of the markets, and long-established connexions with circulating libraries, &c. Should, however, the demand for editions, different from those now supplied by the English publishers, at any future time become so marked and general as to induce colonial publishers to attempt to supply it, the English publisher would still be placed in a much more advantageous position for meeting the demand that any colonial publisher could be. Nor must it be forgotten that English publishers may form connexions and make their own arrangements with publishers in the colony, or establish branches of their business there, and so regulate the kind of editions suitable for each market.

7. Looking at the subject practically, the fear of competition appears therefore to be groundless, except on the hypothesis of English publishers refusing to meet a pressing public demand for cheap editions, such as an independent colonial publisher, fettered by no English connexions, could supply.

JOHN ROSE. (L.S.)

Separate Report by Sir H. Drummond Wolff, K.C.M.G., M.P.

MAY IT PLEASE YOUR MAJESTY,

THOUGH concurring generally in the Report now submitted to Your Majesty, I am unable to support all the recommendations affecting colonial and international copyright.

While anxious to establish for writers to the fullest possible extent, and in all countries, a right of property in their works, I am of opinion that, this protection once secured, the traffic in books, as a manufactured commodity, should fall within the ordinary laws of political economy.

At present such is not the case. The existence of copyright is in this country made use of to maintain a system which has and can have no analogy in any other trade—viz., that of circulating libraries—by which means the price of books, to the great detriment of the reader and purchaser, is artificially kept up at a rate far beyond the cost of production.

So long as copyright is confined to the United Kingdom it will perhaps be impossible to alter this system, without some practical interference between a writer and his publisher, or between the publisher and the public, which could not be recommended. But when the Government and the Legislature are called upon to obtain for English authors the benefit of copyright in other countries, it is clear that the public at large are entitled to some consideration in the new arrangements. Otherwise the anomaly would be created, under legislative sanction, of copyright books being sold in the United Kingdom alone, at higher prices than those demanded for the same article in America, or in any other country with which international copyright might be established.

I would, therefore, propose that no restriction should be maintained on the importation, into the United Kingdom, of books published or sold with the author's sanction in the colonies or in foreign countries where the British author now enjoys, or may hereafter become entitled to, copyright.

I venture to submit this recommendation to Your Majesty in the full belief that, by the wider sale of early editions, at low prices, the author would reap increased advantage both in reputation and in pecuniary returns, while the reader and student might, by the purchase of new books, pursue their studies under far more favourable conditions than are compatible with the hurried and superficial perusal of works hired, for a few days, volume by volume, from a subscription library. Question 3928, pp. 203–4, 3930, pp. 204–206, 4983–4997, 5034, and 5699.

All which is humbly submitted to Your Majesty's gracious consideration.

H. DRUMMOND WOLFF. (L.S.)

Separate Report by Sir Louis Mallet, C.B.

MAY IT PLEASE YOUR MAJESTY—

1. It is with much regret that I find myself compelled to dissent from some of the most important recommendations of the foregoing report, and to submit the conclusions at which I have arrived, after a careful consideration of the questions referred to this Commission, and of the evidence which it has taken, for I am conscious that my personal opinions, unsupported by those of my colleagues, can carry little weight.

2. I should have been content, if I had been able to concur generally in the practical conclusions of the Commission, to avoid all reference to the abstract principles upon which the law of copyright ultimately rests; but I feel that it is impossible adequately to explain and justify the course which I have taken in dissenting from those conclusions, without adverting to the reasons which have obliged me to adopt it.

3. I do not consider that a copyright law, or, in other words, a law which enables a copyright owner to prevent other persons from copying published works, rests upon the same grounds of public expediency as those which justify the recognition by law of proprietary rights generally. Nor does it appear that in modern times it has been ever so regarded by the legislation of the countries where it exists.

4. The right conferred by a copyright law derives its chief value from the discovery of the art of printing; and there appears no reason for giving to authors any larger

share in the value of a mechanical invention, to which they have contributed nothing, than to any other member of the community. It is not even claimed that an author should have a right of property in ideas, or in facts or in opinions. It is impossible ever to ascertain or to define how far these are the product of his own thought or of his own labour. It is merely the form in which they are presented for which this claim is advanced, and for this all that is in principle required appears to me to be that he should be protected in any contract which he desires to make once for all in the original publication of his work.

Questions 5567, 5573.

5. Some of the witnesses whose evidence has been received by Your Majesty's Commission have urged the claim of authors to perpetual copyright, on the ground that the right of an author to property in his published works is as complete and extends as far as the right of any person to any property whatever.

Questions 228 and 5580–81.

6. If this analogy were admitted, it appears to me that it would be difficult to dispute the claim of an author to perpetual copyright; but I venture to submit that the claim of an author to a right of property in his published works rests upon a radical economic fallacy, viz., a misconception of the nature of the law of value.

7. The necessity which is recognised in all civilised societies of conferring rights of private or personal property, arises from the limited supply of that for which there is an unlimited demand. It is only from a limitation of supply that there can be any value in exchange.

8. But supply may be limited either by natural or by artificial causes.

9. Wherever supply is limited by natural causes it is necessary in the public interest to limit the demand, by investing the possessor of the subject of it with proprietary rights, for without them the progressive increase of an unlimited demand operating on a limited supply would lead to the dissolution of society. To whatever extent these rights partake, as they often must, of the character of a monopoly, they do so in virtue of attributes derived from the nature of things, which may be regretted, but must be accepted as inevitable, and which the law is therefore compelled to recognise.

10. There is no such necessity in the case of those objects which are useful or necessary for mankind of which the supply is unlimited. In that which is absolutely unlimited, in the air, in sunlight, in the forces of nature, such as heat, electricity, magnetism, &c., there is no natural exchangeable value, and therefore no property; in that which, although not absolutely unlimited in itself, nevertheless exceeds all probable or possible demands in exchange, there can be little or no value, and little or no property, *e.g.*, in the sea, in the water of large or unfrequented streams, in the game of a wild country, or in the fish of the sea. It is in fact scarcity which creates value, and renders property necessary. Property exists in order to provide against the evils of natural scarcity. A limitation of supply by artificial causes, creates scarcity in order to create property. To limit that which is in its nature unlimited, and thereby to confer an exchangeable value on that which, without such interference, would be the gratuitous possession of mankind, is to create an artificial monopoly which has no warrant in the nature of things, which serves to produce scarcity where there ought to be abundance, and to confine to the few gifts which were intended for all.

11. It is within this latter class that copyright in published works must be included. Copies of such works may be multiplied indefinitely, subject to the cost of paper and of printing which alone, but for copyright, would limit the supply, and any demand, however great, would be attended not only by no conceivable injury to society, but on the contrary, in the case of useful works, by the greatest possible advantage.

12. The case of a book is precisely analogous to that of a house, of a carriage, or of a piece of cloth, for the design of which a claim to perpetual copyright has never, I believe, been seriously entertained.

As is stated by Mr. Farrer, the Secretary to the Board of Trade, in a paper of remarks on the evidence of some of the witnesses, which was circulated for the information of the Commission,—

"Professor Huxley, and I think Mr. Spencer and Professor Tyndall agree with him, states in the strongest and clearest terms his view that the foundation of copyright law is the absolute right of the author once and for ever to the form in which he has uttered his thoughts, and he ingeniously suggests that this law is merely a convenient substitute for a sale by the author of each copy, with a condition attached that the purchaser shall not copy. It is needless to say that this suggestion is as fictitious as it is ingenious. A chattel going about the world with an implied covenant by every one, who with or without consideration gets possession of it, that he will not imitate it, would certainly be a legal novelty. The real history and fact of copyright law are very different. As to the absolute and perpetual right, not only has it never been recognised as a matter of fact, but analogies are against it. Words, thoughts, and actions when uttered or done, pass, as a general rule, into the common domain, and it is thus that human life is carried on. In those productions of the

human mind which are most essentially original, and which are at the same time the most useful to mankind, in such things as the moral doctrine of the sermon on the mount, the intellectual theory of gravitation, of evolution, or of the conservation of energy, there is and can be no exclusive right. Nor, again, is there, as a matter of practice, any exclusive right in more ephemeral matters, *e.g.*, in the news, information, or articles of a newspaper, or in a political speech. It is only when put into the particular form of a book, or a lecture, or a picture, that an exclusive right over the productions of the human mind has been recognised, and that with certain limitations and for a certain specified purpose."*

13. The policy, then, of copyright laws must be sought in another order of ideas, and be made to rest on some other ground than that which is the foundation of rights of property in whatever is subject to a natural limitation of supply.

14. I suppose that the presumption of a copyright law is that it is only by conferring a monopoly for a term of years on an author that sufficient inducement can be afforded to literary effort, and that without such form of protection the literature of a country would suffer, either from a diminished supply or a deterioration in quality.

15. From this point of view the question becomes a purely practical one, viz., whether any special interference by law is required to ensure for a community the best possible literature at the cheapest possible price.

16. The general prevalence of copyright laws in civilised countries appears, no doubt, to afford prima facie evidence that they have been found desirable in the interests of literature, but experience has so often shown that legislation of a kindred kind has been due rather to the influence of the producing than to that of the consuming classes that this evidence cannot be accepted as conclusive.

17. Under existing circumstances there can be of course, as yet, little experimental proof to adduce as to the effect of giving free play to the laws of supply and demand with respect to the published works of an author; but it cannot, I think, be questioned that even if the effect of the present copyright law of this country has been less injurious than I believe it to have been to the interests of authors, it has entirely failed in securing for the public an adequate supply of literature.

18. It may indeed be said without exaggeration that new books are a luxury, the possession of which is confined to the wealthy class, and that they are placed by their price altogether beyond the reach of the great bulk of the people.

19. It may no doubt be argued that this result is due to the inefficiency of demand, and not to the existing restrictions of supply; but there seems to me to be no reason for assuming that literature forms an exception to the rule, which experience has shown to be generally applicable to whatever possesses exchangeable value, viz., that under a system of unrestricted competition the interests of the producer, as well as those of the consumer, are best secured.

20. I believe that the present state of public opinion on this subject is to be attributed to a totally inadequate conception of the literary requirements of an educated community; and I think that it might be found that if the supply of literature could be largely increased, so as to bring the price within the reach of the masses of the people, it would react upon the demand to an extent which would afford possibilities of literary profit far exceeding anything which has hitherto been attained or imagined.

21. The exchangeable value of a published work depends, not on its cost of production, but on the relation of supply and demand, and I believe that it will always be in the power of the first publisher of a work so to control the value by a skilful adaptation of the supply to the demand as to avoid the risk of ruinous competition, and secure ample remuneration both to the author and to himself.

22. It is doubtless true that this would not be possible in the case of unknown authors, unless their works were of a nature which possessed wide and immediate interest, but however great the intrinsic value of the productions of the class of literary men who might thus suffer, there appears to be nothing in which their position

* [Foot note by Mr. Farrer to the above paragraph.] "It is to such views as the above concerning the absolute and indefensible rights of authors and artists that we may trace some of the proposals which have been actually made to this Commission, *e.g.*, the proposal that an architect who has given a design for a house or a cottage shall have the power to prevent anybody from ever building a similar house or cottage; or the still more extravagant proposal that an artist shall without special stipulation retain a right to prevent each and every subsequent owner of his pictures from copying, engraving, or photographing them, and shall have the power to seize any copies of them without warrant, and to treat the holder of such copies as a criminal unless he can explain where he got them. It is the insistance by English authors on these views of their own rights which has embittered the discussion of the subject of copyright with Canada and with the United States."

This subject is treated at length in a further MS. paper by Mr. Farrer, which as a member of the Commission, I have had the advantage of seeing.

would differ from that of those in other professions and occupations in the early stages of their career, and who have not succeeded in establishing a public reputation.

Questions 1280–1283, 1298–1307, 1379, 1380, 2664–2671.

23. I have been much impressed by the evidence received by the Commission on the operation of the system which prevails in the United States of America. In that important market for English books, although there exists no law which protects a foreign work from republication, it has been found in practice that it is the interest of publishers to make arrangements with British authors of eminence, by which they receive a remuneration which, if not equal by way of a per-centage on profits to that which they receive from the publishers of this country under the copyright law, is, nevertheless, of a substantial kind, and sometimes, in consequence of the larger circulation of their works at a cheaper price, larger even in amount than that which they derive from their copyright editions at home.

24. Mr. Herbert Spencer in his answer to question 5269 states that his American publisher pays him as well as American authors are paid, in spite of the protection afforded them, by a copyright law, and that there is no danger of the issue of rival editions.

See Appendix, pp. 377–405.

25. I further gather from the price lists of English and American books, given in to the Commission by Mr. Farrer, in connexion with his reply to question 5870, the following facts:—

1. That where there is copyright the editions are far fewer and less varied than where there is none.
2. That where there is no copyright, the earlier editions are, as we know, cheaper than where there is copyright.
3. That where there is no copyright, not only are there cheaper editions than where there is copyright, but there are also much dearer editions, thus showing that natural demand, without monopoly, will produce *editions de luxe*; and that the demand for such editions is stimulated, rather than checked, by simultaneous cheap editions.
4. That where good books are free from copyright, *e.g.* Wordsworth's Poems, the English editions are still more numerous and cheap than the American editions, in spite of duty.

26. This is, however, a question of the future, and for a time when education shall have been so widely and generally diffused as to have brought within the reading classes the great body of the people. Under any circumstances in a matter which affects so large and valuable a property, and so many vested interests as have been created under copyright laws, it would be both unjust and inexpedient to proceed towards such a change as has been foreshadowed, except in the most gradual and tentative manner.

27. In venturing, therefore, to submit the foregoing remarks to Your Majesty, I have done so, not with the view of founding upon them any practical recommendation, but because I have felt it to be of great importance that the claims which have been advanced by some of the witnesses as to the abstract rights of authors should, on the occasion of a formal inquiry by a Royal Commission into the operation of laws which closely affect the highest interest of Your Majesty's subjects, not be allowed to pass unnoticed.

28. But setting aside this larger question, some of the witnesses who have been examined have given evidence on a proposal which has been frequently a subject of public discussion, viz., the expediency in the interests of literature of substituting a royalty system for the present form of copyright.

29. This proposal is described in paragraphs 16–22 of the Report of the Commission, but it is not recommended for adoption.

30. I concur in this conclusion, because I do not think that so great a change in the existing form of copyright as the adoption of this proposal would involve, can be safely attempted in the present state of public opinion on this subject, but I am, nevertheless, of opinion that the royalty system possesses so many advantages, that it should be kept in view as the object of future reforms.

31. On the assumption that some special legislative machinery is necessary to secure to authors an adequate remuneration for their labours (an object which is on all hands admitted to be essential in the interests of literature, and therefore in those of the community at large), it seems possible that this result may be better attained by a system of royalties than by the present form of copyright law, which gives to the author the exclusive right of publication for a term of years.

32. A monopoly should never be created with the view of remunerating a person or a class, if that object can be effected without it; the profits of authorship are one thing, and

the profits of publication another; and even if some form of monopoly is necessary to protect the first, it is equally desirable, in the interest of the author and in that of the public, that the profits of publication, which are purely of a commercial character, should be regulated and controlled by the ordinary laws of trade.

33. The only method which has been suggested by which the interest of the author can be effectually disengaged from that of the publisher is the royalty system, and it is contended that under the operation of free competition between publishers, the author and the public would alike be benefited,—the first by an extended circulation of his works, and the second by a reduction in their cost. Question 2714.

34. The royalty system has the further advantage of affording, as it seems to me, the best means by which international copyright can be systematically and usefully extended.

35. In the two great markets for English literature, the United Kingdom and the United States of America, the existing system has been described as one of "monopoly tempered by piracy." The British law only extends the protection of copyright to an American author, on the condition that the first publication of his work takes place in the United Kingdom; while unless he is resident in the United States, a British author, even on a corresponding condition as to publication, can secure no copyright at all.

36. The people of the two countries, therefore, obtain between them an international supply of literature, partly contributed by English and partly by American authors, under the operation of laws which afford to them a partial and unequal international protection, apparently devised on the part of England with an especial regard to the interests of publishers, and on the side of the United States rather with the view of securing a supply of cheap and abundant literature to the public.

37. But whatever the cause, it is doubtful under these circumstances, whether, so long as the parasitic growth of the publishing interest is so inextricably intertwined, as it is, with that of the authors, it would be right to create an international monopoly, which, however advantageous to a particular class, could hardly fail to enhance unduly the cost of literature to the people of the two countries.

38. It would therefore follow that the adoption of the royalty system would greatly simplify and facilitate agreements with foreign states, by enabling governments to reconcile the just claims of authors to international protection with the legitimate interests of the public at large.

39. The most serious objection which I have heard against the royalty system, is that which has been urged by several of the witnesses, viz., that if power were given to a second publisher to issue a reprint on payment of a fixed royalty, it would effectually prevent the undertaking of expensive works by a first publisher. Questions 4447, 4730–4731.

40. But it seems to me that the remarkable instance, quoted by Mr. Spencer, of King's International Series, the publisher of which can afford to give 20 per cent. of the retail price to the authors without fear of being undersold in the American market by rival editions, furnishes strong evidence against the validity of this objection. Question 5257.

41. It is difficult to admit that a publisher, who can afford to give 20 per cent. to an author without fear of being undersold by a rival publisher, who is not obliged to pay anything, could be deterred from his undertaking by a system which compelled his rival equally to pay 20 per cent. to the author.

42. On the subject of King's International Series, I find the following observations in the paper by Mr. Farrer, to which I have already referred:—

"This seems to be a most praiseworthy undertaking. The books are published in a most convenient form, with good but not extravagant print and paper; they are written by very eminent men on very interesting subjects, and they are well illustrated. The price is moderate, and the remuneration to the authors, viz., 20 per cent. of the retail price, is said to be liberal as compared with the ordinary custom of the trade. These books are all published in precisely the same form, in fact from the same stereotyped plates; both in England and in America. Some of them have, I presume, copyright in America, being written by American authors; most of them, being written by European authors, have not. The price seems to vary only with the size and character of the book; that is, according to the cost of production. None of these books even come back from America to this country, at least I believe not. And what is the reason? Not simply the law which prevents their so doing, but the fact that they actually cost more in America than they do in England, by amounts varying from one half to one third. I will subjoin a list giving the prices in America and in England respectively.

"The inference I draw from this is, that that if books are published at a reasonable price, even though authors be well remunerated, it needs no law against the importation of foreign reprints to secure their sale.

"Compare this with the case of 'Macaulay's Life.' There a volume which costs much less than 4*s.* to produce is sold in England at 16*s.* The same book is sold in America at 9*s.* No wonder that in the case of such books as this a law is wanted to keep out foreign reprints.

"List of Books in King's International Series, as published in England and by Appleton of New York, with the prices in both countries.

—	Price in England.	Price in United States.
		$ cts. s.
*Mind and Body. Bain	3/4 published at 4/-	1.50=6
*Sociology. Herbert Spencer	4/2 " 5/-	1.50=6
Chemistry. Cooke, of Harvard University	4/2 " 5/-	2.0 =8
*Conservation of Energy. Balfour Stewart	4/2 " 5/-	1.50=6
Animal Locomotion. Pettigrew	4/2 " 5/-	1.75=7
Responsibility in Mental Disease. Maudsley	4/2 " 5/-	1.50=6
*Science of Law. Amos	4/2 " 5/-	1.75=7
Animal Mechanics. Marey	4/2 " 5/-	1.75=7
*Descent and Darwinism. Schmidt, Strasburg	4/2 " 5/-	1.50=6
*Chemistry of Light. Vogel, Berlin	4/2 " 5/-	2.0 =8
Fungi. Cooke	4/2 " 5/-	1.50=6
Life and growth of Language. Whitney	4/2 " 5/-	1.50=6

"The dollar is taken as equivalent to four shillings.
"The United States books are from one third to one half dearer than the English books.
"* Those by foreigners have no copyright."

43. I now proceed to refer to recommendations of the Commission, in which I am unable to concur, under the three separate heads of Home, Colonial, and International Copyright, and to state my reasons for dissenting from them.

Home Copyright.

44. First as regards the term of copyright:—

45. The proposal in the Report is, that copyright shall last for the life of the author of the subject of the copyright, and for 30 years after his death; and that, except in certain cases, where it would be impossible or inconvenient to measure the term by the author's life, copyright shall be of equal duration whether the subject be a book, a play, a picture, or any other species of work for which copyright is given by law.

46. I shall in the first place endeavour to show that the reasons assigned for the proposed term are not so solid as at first sight they appear to be; then I shall point out some objections to the term to which sufficient weight has not in my opinion been attached; and lastly, I shall suggest another term in lieu of that proposed in the Report.

47. The reasons assigned for the term recommended are four in number:—1. That better provision may be provided after the death of an author for his family;—2. That all the copyrights of the same author may expire at the same time;—3. That the termination of copyright may be certain and easy to ascertain;—4. That nearly all other countries have adopted the author's life and a fixed number of years after his death as the measure of copyright.

48. I do not think that these reasons possess the importance which has been attached to them.

49. As regards the first reason, I would observe that in all cases in which an author sells his copyright no benefit from the change will accrue either to the author or his family. We have been told by witnesses that publishers will not give more for a copyright if it has longer than 28 years to run than if it were limited to that time. If therefore the proposed change should have the effect of lengthening a copyright, the publisher who purchases it will get the benefit and not the author who sells it.

Questions 310, 975.

50. Assuming however that a copyright is not sold, will the family have better provision after the author's death? In few cases only; for it is an admitted fact that the effect of the change will be to decrease the term in the case of all books written near the end of the author's life—that is, in the case of all books written at the time when authors often write their best works; that the length of copyright will be nearly the same in the case of all books written about the middle of life; and that the term will only be extended in the case of books written early in life. These copyrights, moreover, are those which are more often sold, for authors, we have been told, who have established their reputation rarely sell; but assuming that these copyrights are not sold, they alone are the copyrights from which authors and their families could derive any benefit from the change proposed.

Questions 2882-2884.

51. As to the second reason, there can be no doubt that if the proposed term be adopted all copyrights of the same author will expire at the same time. I, however, fail to see any great advantage that will arise from that circumstance. The objection

on this head to the present term is, that as the copyrights in different works by the same author generally terminate at different times, his earlier works can be reproduced by publishers generally before his later works are out of copyright; and thus the market may be stocked with the non-copyright works while it may be impossible, or at all events difficult, to buy an edition of his works complete. This certainly may occur, but in the case of works of value the event is rarely likely to happen; for if there is a demand for the books, the owners of the existing copyrights, who can republish the whole, will rarely fail to supply the market with the editions required.

52. As to the third reason, I think it very doubtful if the termination of copyright will be any more certain or easy to ascertain than it is under the present law. In the case of an author or artist of celebrity it will no doubt be generally well known if he is living or dead, and, if he is dead, it will not be difficult to ascertain the date of his death; but among the multitude of writers, musicians, painters, engravers, and others upon whose lives copyright will depend, how many will live and die unknown,—except to their immediate friends, who will be the very persons to sue anyone who may infringe their copyrights,—and how many will go abroad, so that their lives and deaths will become matters of uncertainty. If to this it be replied, that should anyone wish to copy a work it will be his business to find out if the author has died and if the copyright has expired, it may be answered that the change in the term will in that respect produce him no benefit, for it is his business now to find out if the copyright has expired; and though the date of publication may be somewhat uncertain it may generally be ascertained approximately.

53. As to the fourth reason, even though it is the fact that most other nations have adopted the life of the author and a fixed number of years after his death as the measure for copyright, I think that slight benefit, if any, will arise on that account from our adopting a similar term. It seems to be thought that the adoption by us of a similar term will facilitate the making of treaties with other powers; but I do not see why it should. If all other countries had a uniform term it might be desirable for us to adopt the same;—but they have not. The variation in the number of years after death, in the terms adopted by continental states, is almost as great as the number of the nations which have a copyright law. Germany alone has adopted the term proposed for this country, viz., life and 30 years; and it is to be remarked particularly, that in the United States the term is only 28 years, and that that period commences from the date of recording the title of a work. See the general Report, paragraph 39.

54. I now wish to point out some objections to the proposed term, to which I think sufficient weight has not been given.

55. The first objection is that which was made by Lord Macaulay, that if the term for copyright should be the life of the author and a fixed period after his death, his earlier and possibly inferior works will be protected for a longer period than his later and more mature works. Question 2897.

56. The second objection is that if an author should publish his work—a work, it may be, of great value, which has occupied many years in writing—shortly before the close of his life, it will be endued with less copyright than it would under the present law (that is, 42 years from the date of publication), and his family will be less well provided for than they are at present.

57. The third objection is that the term will in many cases be unnecessarily long. Thus, if a book be published when the author is 25 years of age, and he should live to be 70, the copyright will last for 75 years. Under the present law the copyright would last for 52 years only.

58. The fourth objection is that copyrights under the proposed law will be extremely uncertain and variable in duration, and much longer protection will attach to the works of one author than to those of another. If, for instance, two men, aged 25, write books, and one dies at 30 years of age while the other lives to 70, the copyright of the former will last for 35 years only, while that of the latter will last for 75 years.

59. The fifth objection is that the life of the author, or artist, and a term of years is so unsuitable for copyright in some cases, that important exceptions to the system are absolutely necessary. I refer to anonymous works, works published after the author's death, encyclopædias, and photographs, for all of which separate provision is proposed in the Report of the Commission. See the general Report, paragraphs 41 and 119.

60. Independently of this consideration, the proposal is, in my opinion, objectionable, because it suggests that in the case of photographs the copyright is to start from the date of publication, a date which we have been told it is frequently difficult to fix in the case of a book, but which, it seems to me, will be far more difficult, if not impossible, to fix in the case of a photograph. It is also, in my opinion, objectionable

on the ground that it creates a difference between photographs and anonymous books; that is to say, that while it is proposed that copyright in anonymous books shall be for 30 years from deposit at the British Museum, copyright in photographs is to date from publication.

61. I cannot but think that the proposed term of life and 30 years is as unsuitable for copyright in the case of engravings, lithographs, prints, and similar works as for photographs, and that further exceptions must be made for them. In either case the work may be executed, not by the reputed artist, but by his assistant or workman, or by several assistants or workmen; or it may be brought out by a firm or a limited company. In such cases whose is the life upon which the copyright is to depend?

Paragraph 119.

62. Another proposal is, moreover, that if a photograph is originally published as part of a book, the term of copyright in it should be identical with the term of copyright in the book,—that is the life of the author, not of the photograph, but of the book, and 30 years.

63. I cannot think that a rule which requires so many exceptions to adapt it to practical purposes is likely to prove satisfactory in operation, and I cannot concur in recommending it.

64. These objections might, in my opinion, be obviated by the following arrangement. Instead of the existing terms of copyright, or that which is proposed in substitution for them, I would suggest as the term a fixed number of years to be reckoned from the date of registration.

65. As it is proposed to establish a system of compulsory registration, the act of registration, which will almost invariably take place as soon as a work is published, or as soon as protection is needed, seems an appropriate commencement for the right, and there can in my opinion be no better way of ensuring the registration of copyright works than by making the copyright originate from and depend upon registration.

66. In the case of books, 50 years appears to me, under present circumstances, to be a suitable time for a work to be protected, but I am not disposed to recommend any extension of the terms of protection afforded by the existing laws to other works which are the subject of copyright, as I think that the tendency of legislation should be rather toward greater freedom than towards greater restrictions; and I concur with Sir James Stephen in dissenting from the suggestion of the Report, that the right of dramatising novels should be confined to the authors, and from all the suggestions made for extending copyright in works of art, and rendering the remedies against persons who infringe existing rights more efficacious.

67. It will doubtless be objected to the proposed term for books that authors may outlive their copyrights, but that is merely a sentimental objection, and will happen in few cases; I do not see, moreover, that there can be any greater hardship in an author living to see his copyright expire than for a patentee to see the end of his patent. If the law secures for an author an opportunity of gaining the remuneration which may be necessary to ensure his best efforts, its end will have been, in my opinion, attained. And if a work should not prove so remunerative that in 50 years the author is still without a due reward for his toil, I think it may generally be assumed that the fault is in the work itself and not in the law.

68. If our recommendation that registration be made compulsory should be adopted, all assignments either for the whole or part of the term should be made in the register, and thus a complete history of every copyright would be preserved. To meet the case of anonymous works, they might be registered in the name of the publisher, who should, for the purpose of the register and assignments of copyright, be regarded as the owner of the copyright.

69. The advantages of these proposals may be summed up as follows:—

1. The term may be of sufficient length to give an author or artist a prospect of adequate remuneration, whether he happens to live long or to die early.
2. The greatest certainty will exist as to the *facts*, whether a work is copyright, when the copyright began, in whom it is vested, and when it will terminate, and the information will be obtainable with the greatest ease and at nominal cost.
3. The earlier and presumably inferior works of an author will not be protected for a longer period than his later and presumably superior works.
4. An author will obtain an equal length of copyright at whatever period of his life publication takes place; so that if he should spend a considerable part of his life in compiling a work he will not, through the accident of death soon after publication, obtain less copyright than he would under the present law, or than he would if he had a longer life.

5. The term can in no case be unreasonably long or be greatly in excess of the present term allowed for books.
6. The term of copyright will not be uncertain or variable in duration, and longer protection will not be afforded to the works of one man than to those of another. The excessive difference in the case of the works of different authors which will spring from the adoption of the proposed term of life and 30 years will be avoided.
7. No exceptional terms will be required, either for anonymous works or works published after the author's death, or for encyclopædias, or for photographs, engravings, or similar works, or for works produced by firms or companies.

70. Secondly, as to the place of publication:—

71. I see no reason, unless it be that of affording protection to British publishers, for withholding the privilege which it is proposed to confer upon the proprietors of works first published in any one of Your Majesty's Possessions, by paragraph 58 of the Report, from the subjects of Your Majesty who may be the proprietors of works first published out of the British Dominions; and I would therefore venture to recommend that the conditions under which alone it is proposed, in paragraph 61, that such copyright should be obtainable should be suppressed, and that the works of a British author, wherever they are first published, should be entitled to the same copyrights and to the same benefits, remedies, and privileges as they would be entitled to under the existing Imperial Act if they had been first published in the United Kingdom.

Colonial Copyright.

72. The only paragraphs in this division of the Report to which I think it necessary to advert, are those which relate to the admission of Colonial reprints into the United Kingdom, but this is a question, in my opinion, of such serious importance, that I feel it my duty to call special attention to it.

73. A correspondence is given in the Appendix to the Evidence, between the Colonial Office and the Board of Trade, which took place when the Canada Copyright Act, 1875, was under consideration, from which I am glad to find that although not ultimately adopted by Her Majesty's Government, the views of the Board of Trade, which is the department of that government especially conversant with copyright questions, were strongly in favour of the conclusion at which I have arrived, opposed as it is, I regret to say, to that of my colleagues. Appendix to Evidence, p. 373. Paper H. Question 5819.

74. I have carefully considered the evidence of those who are adverse to the introduction of these reprints into the United Kingdom, but I am wholly unable to concur in the recommendation of the Report that this restriction should be maintained.

75. It is stated in paragraph 184 of the Report that it must be admitted to be desirable that the literature of this country should be placed within easy reach of colonial readers, and that the Imperial Act should be modified to meet the requirements of colonial readers.

76. In this country the effects of the custom of publishing books in the first instance at a high price are no doubt mitigated as regards the upper classes by the facilities afforded by book clubs and circulating libraries; but it is, nevertheless, true that large classes of readers are at present debarred by the high price of books, from the use of modern English literature. If it is desirable that English literature should be placed within easy reach of colonial readers, it must be equally so in the case of the readers of the United Kingdom. Question 53.

77. The grounds of objection taken to the introduction of colonial reprints are, that their cheaper price would cause great pecuniary loss to the owners of copyright, disarrange the present system of trade, and prevent publishers from offering as much to authors for their works as they do now. But it seems to me, that as owners of copyright are not compelled to give their consent to republication in a colony, on which condition alone it is proposed that colonial reprints should be admissible into the United Kingdom, such persons will receive as favourable treatment as before the passing of the Canadian Copyright Act of 1875; and that it is impossible therefore to speak of a great pecuniary loss being thrown upon them; that, on the other hand, if their consent be given, it will be from the prospect of pecuniary gain, the effect of such publication in a reduction of price being more than counterbalanced by an extended sale of their works, both in the home and in the colonial markets. Report, para. 219.

78. To say that republication in a colony can only become profitable by the exclusion of colonial reprints from the United Kingdom, is to say that it is only by the sale of dear books in England that cheap books can be sold in a colony—in other words that

colonial readers can only be supplied with cheap literature if English readers are compelled to pay for it.

79. It appears to me impossible to recommend the retention of a prohibition which directly favours one portion of Your Majesty's subjects at the expense of another, which renders exile a condition of easy access by Englishmen to the contemporary literature of their own language, and causes England to be the only country in which English books are scarce and dear.

80. Much as I desire every legitimate extension of the profits of authors, I cannot disregard the claim of the public of this country, to derive some benefit from the extended area of protection afforded to authors by international and colonial copyright.

81. All measures which tend to increase the profits of the literary class ought to tend also to a corresponding reduction in the price of books. Such a reduction can only be brought about by throwing open the publishing trade to the greatest possible amount of competition, and I believe that the effects of this competition could hardly fail in the long run to reduce the price of books, and ultimately greatly to increase the profits of literary labour.

82. It has been stated that if this prohibition on the importation of colonial reprints into the United Kingdom were removed, authors would not avail themselves of the power of republishing their works in the colonies, and that the relief to the colonial reader, which it was the object of the Canadian Copyright Act to give, would not be obtained. I do not believe that this would be the case; on the contrary I think that if it were necessary for their protection, English publishers would make arrangements with colonial publishers, by which the wants of the public, both at home and in the colonies, might be reasonably met; but it is better that a law should be inoperative than that it should be unjust, and I cannot think that the existing prohibition can be maintained without great injustice to the public of the United Kingdom.

International Copyright.

83. On this branch of the question, I so far differ from my colleagues as to think it doubtful whether the interests of literature have hitherto suffered from the absence of a copyright treaty with the United States of America.

84. I am certainly of opinion that no such treaty is desirable, unless some substantial advantage can be secured by it, not only for British authors but also for the public at large, in both countries.

85. Such an object could only, as it seems to me, be attained by a considerable extension of the conditions which have hitherto been thought sufficient in concluding copyright treaties with foreign powers.

86. The following are among the main provisions which I venture to think should be considered essential in any treaty on this subject with the United States of America:—

1. That copyright should not be confined to works printed and published in the country where the copyright is given, but that printing and publishing should be as free as authorship.
2. That an author should not be allowed, as he is under existing Copyright Treaty Acts, to exclude from his own country editions which are published with his consent in the other country.
3. That, as is proposed in the foregoing Report in the case of the British colonies, a licensing system should be introduced, under which a work published in one country may be republished in the other subject to a royalty in favour of the copyright owner, due provision being made for its collection and transmission.
4. That no import duties on the importation of books into either country should be retained or imposed.
5. That the term of copyright should be assimilated in the two countries and considering the extended area of protection which such a treaty would grant for authors, that such assimilation should be made by a reduction of the term of copyright in the United Kingdom.

Question 1582.

87. There is one other question to which reference was made by Mr. Farrer in his evidence, and which appears to me to deserve consideration. I refer to the employment of the machinery of the Custom House for the purpose of enforcing the provisions of a copyright law.

88. It appears to me to be a hardship that every passenger landing in the United Kingdom should be liable to be searched, and his luggage to be examined, not with a view of protecting Your Majesty's revenue, which is a public object, but simply to prevent a possible infringement of the right of a private person, and that it would

be right that the copyright owner should be left to the same protection against foreign piracies as is afforded him against English piracies, by the ordinary process of law.

89. In conclusion I have only to state, that except as regards the questions to which I have referred in the foregoing remarks, I concur in the recommendations contained in the Report of the Commission.

All which is humbly submitted for Your Majesty's gracious consideration.

LOUIS MALLET. (L.S.)

Sir John Rose's Note.

I concur in the 45th to the 69th paragraphs inclusive of Sir Louis Mallet's Report in reference to the period during which copyright should last, believing the balance of advantage and convenience to be in favour of a specified term from the date of registration rather than for the author's lifetime, and a certain number of years after his death.

JOHN ROSE. (L.S.)

*** See also the Note appended to the signature of Sir Charles Young, and the Separate Report of Mr. Edward Jenkins.

Note appended to his Signature, by Sir James Stephen, Q.C., K.C.S.I.

I dissent from the recommendation as to abridgments. I think the law upon that subject should be left unaltered. The question whether any given abridgment is substantially an original work or not is capable of being determined by a court of law in a more or less satisfactory way, but I think that any statutory rule on the subject is likely to lead to great practical difficulties, and would be liable to evasion.

I also dissent from the suggestion that the right of dramatising novels should be confined to the authors, and from all the suggestions made for extending copyright in works of art, and rendering the remedies against persons who infringe existing rights more efficacious. All these proposals appear to me to be founded upon a mistaken view of the principle on which the law of copyright ought to be based. They assume that the author of a work of art ought to be considered to have a right to every advantage which can possibly be derived from that work of art, even indirectly and by the exercise of independent ability. A dramatic author is not to use a novel as material for a drama, a painter is not to copy the painting of another painter, although in the one case the adaptation and in the other the copy may require great labour and skill. Casts are not to be made of statuary, nor is a statue to be photographed, drawn, or engraved without the leave of the owner of the copyright. It is admitted that in many instances these acts inflict no money loss on the author of the work of art, but it is said that they may hurt his reputation, and it is assumed that he is entitled to appropriate to himself every indirect advantage which may be obtained from his work.

I think artistic reputation is too delicate a matter to be made the subject of legal protection. The law of copyright ought, in my opinion, to protect money interests only; and I think that the only money interests which it should protect are those which it creates; that is to say, the money interest of the author of a work of literature or art capable of being reproduced by mechanical means in such a manner that every copy is as valuable as the original. I approve of copyright in books, because the MS. has no money value till it is printed, and because when it has been printed, every copy is of equal value, so that unless a copyright law existed the author of the most valuable book would have no money reward for writing it. For the same reason I approve of copyright in engravings, photographs, and other works of art capable of being mechanically reproduced in large numbers, each copy being of the same or nearly the same value as the original.

I do not approve of copyright in pictures and statues because a picture or statue has a value of its own, which is not affected by its being copied, and copies of it are themselves works of art of various degrees of merit. I think that such productions are sufficiently protected by the ordinary law of property. No copy or cast of a picture or statue can be made without the consent of the owner both of the picture and of the

place in which it is kept, and I cannot see why, if the owner consents, the artist should have a right to object. The Commission reject the proposal that architects should have copyright in their buildings, and it seems to me that in consistency they ought to recommend the repeal of the Act which gives copyright in works of art. I cannot understand why an artist should have a right to prevent a statue from being photographed, while an architect has no right to prevent the building in which it is exhibited from being photographed.

J. F. STEPHEN. (L.S.)

Separate Report by Mr. Edward Jenkins, M.P.

1. Concurring generally with my fellow Commissioners in this Report, I regret that I am obliged to define some differences with their views in matters of detail.

2. In paragraph 151 three methods of making compulsory registration effective are discussed. The one recommended is the third; viz., "that a copyright owner should not "be entitled to take or maintain any proceedings, or to recover any penalty in respect "of his copyright until he has registered, and that he should in no case be able to "proceed after registration for preceding acts of piracy."

3. This is a very cumbersome method of enforcing compulsory registration. It would give rise to endless questions of law. It is simply a device to bolster up the theory that copyright is what is called a natural proprietary right. I should prefer that the statutory law conformed with the real position of the case. The statute law *creates*, it does not *recognise*, copyright. There is no such thing as an inalienable natural right to the form in which a man has embodied his ideas. The copyright law is, like the patent law for invention, a creation of a temporary monopoly, for the encouragement of learning. It is the outcome of expediency and not of principle.

4. I suggest that the law which creates the right ought to lay down the conditions on which it confers it; that these conditions should be as simple and trenchant as possible. And therefore I am of opinion that registration on the date of publication should be a condition of copyright, as it is of patent right.

5. With regard to the duration of home copyright, I agree rather with the conclusions of Sir Louis Mallet, as expressed in paragraphs 44 to 71, inclusive, of his Report, than with the recommendations of the Royal Commissioners, and on the grounds stated by him.

6. In paragraph 62 of the Report there is the following passage: "As to aliens, "although we would give them the same rights as British subjects if they first publish "their works in the British dominions, it is obvious that the same reason does not exist "for giving them copyright if they do not bring their books first to our market: and "we therefore, recommend that aliens, unless domiciled in your Majesty's dominions "should only be entitled to copyrights for works first published in these dominions." There appears to be no reason in principle for making first publication in your Majesty's dominions a condition of copyright. When it is granted that publication by an alien author in Australia or Fiji shall secure copyright for Great Britain, it is impossible to see why first publication in France should debar the alien author from the same privilege.

7. It is implied that there is policy in encouraging "first publication" of a book in your Majesty's dominions. What practical benefit arises to your Majesty's subjects from the privilege of a first perusal of an author's ideas is not stated by the Commissioners, and I find myself unable to imagine it. Certainly there is a *dictum* of an ingenious judge in a notable case to the effect that it is the policy of the English copyright law to encourage first publication *in Great Britain*. But the statement is more fanciful than judicial; besides the Commission proposes now to enlarge the area of first publication to the whole empire. This extension reduces the proposition to a practical absurdity.

8. Moreover, when it is considered that wherever a copyright treaty has been entered into with a foreign nation, its authors are protected in your Majesty's dominions, although, and indeed because, they may have first published their books elsewhere, it would appear that the principle, if such it may be called, of first publication dwindles in importance to the smallest dimensions.

9. I submit that the more correct proposition to lay down would be this: That it is policy as well as justice, if copyrights are recognised at all, to recognise them from whatever quarter they come. I would humbly suggest that Your Majesty should acknowledge and protect the rights of authors irrespectively of nationality, and without

regard to the question of previous publication. The only condition should be that the author should register his book or other work in England before any English publisher has issued it.

10. It may be said that this would be to throw away a forcible argument and a valuable consideration in negotiating treaties with other nations, since, were my proposition to be adopted, their authors would be able to acquire in Great Britain all the rights belonging to British authors, although the governments of the nations of which they were citizens might not have incurred reciprocal obligations with Your Majesty. But the objection is equally valid against the proposal of the Commissioners that copyright shall be granted to an alien on first publication in Your Majesty's dominions.

11. The empire may with honour and advantage take the lead in extending the benefits of copyright to all authors, without regard to nation, or to place and time of first publication. This would encourage the flow of the best literature of every people to our shores. And the influence of a policy, so generous and just, could not fail to be effective upon the public opinion and the legislative enactments of nations in which as yet international copyrights are either wholly or partially unprotected.

12. I wish, lastly, to record my opinion that in no circumstances should registration be continued in the hands of any private company, even if placed under Government supervision It is true that there are a few anomalous cases, like that of the Goldsmiths' Company, in which Government business is transacted by private associations. But the Stationers' Company has hitherto done its work so badly; it is so manifest an injustice that the advantage of fees imposed by Act of Parliament should accrue to the nominee of a small association representing, not the authors, but the trade, of bookmaking; compulsory registration will require so much more efficient a staff, and will insure so much larger a revenue; that I cannot concur even in a suggestion that it is right or expedient to continue the registration of copyrights with the Stationers' Company.

EDWARD JENKINS. (L.S.)

Dissent from the Report of the Commissioners as to Paragraphs 153 and 154, respecting the Registration of Books, by Mr. Anthony Trollope.

THE object of these clauses is to enforce compulsory registration by a penalty; and the penalty proposed is that the owner of the copyright neglecting to register shall be punished by the continued sale of copies printed piratically before registration. I will endeavour to point out, 1st, that the penalty proposed would not secure, or even hardly assist in securing, compulsory registration; 2nd, that compulsory registration may be otherwise secured, and is otherwise secured; and 3rd, that the system proposed in the paragraph above named would in some cases inflict a penalty so severe that the law should not sanction it.

First. If registration be made compulsory, this must be effected by some penalty which shall touch the great majority of those who produce works of literature. The law would do nothing towards producing compulsory registration, if it affected only those who have to deal with copyrights of value. In the larger majority of cases the producer of the work fears no piracy. He would probably find in such piracy a valuable advertisement. In these very numerous cases neither will the author or publisher be compelled to register by fear of piracy. Some other penalty must touch them, or registration of books cannot be made compulsory. The penalty proposed, of allowing the continued sale of piratical works, would affect only those few who would naturally register books presumed to be of value, but who through accident might fail to do so.

Secondly. That compulsory registration of books may be effected without the mutilation of copyright which is proposed in the Report, is proved by the fact that registration is made compulsory in other countries without such mutilation, notably in France. As the presentation of books at the British Museum is compelled by ultimate, though happily by rare, resource to a fine, so may it be effected by fines to be levied if necessary as the British Museum now levies them. If, as the Commissioners propose, the act of presentation to the British Museum and of registration is to be one and the same, the same course as at present may be followed. Doubtless there may possibly be delay in registration, and while that delay exists the sale of pirated works may be left open. It is not proposed here that the owner of a copyright should have remedy for any injury done to him before registration, but only that he should be secured from the lasting evil which a continued sale would inflict.

Thirdly. The punishment proposed to be inflicted might in certain cases be so heavy, —and that upon simply an inadvertence,—that the law would hardly sanction it. In the case of non-registration of a valuable work the laches would arise probably from the negligence of the agent employed. The punishment should of course be the same, whether the fault was committed by the principal or another; but the work of registering would almost of necessity fall into the hands of publishers. As a rule they would be careful as to works of value,—though probably very careless as to works of small notice under such a penalty as has been proposed. But should a work of great value escape—a poem, we may say, of Tennyson's—50,000 copies of it might be printed at once without any acknowledgment to the author, and sold through any term of years, to the utter destruction of the copyright. Such a penalty as this can hardly be intended for such a fault. Nor can it be well to encourage such a trade as would fall into the hands of those who might look out for these irregularities.

ANTHONY TROLLOPE. (L.S.)

Notes appended to the signature of Mr. F. R. Daldy.

1. I DISSENT from the recommendation in paragraph 154, that non-delivery of a copy at the British Museum should affect the copyright of a book. The principle seems unsound and the weight of the penalty very unequal; besides it would generally fall on the author, although the default was made by the publisher.

It is not proposed that the right to reprint should belong to the Crown, or the benefit thereof go to the Crown, but that it should be allowed to any private person for his own profit.

Neither France nor Germany, nor any other country, as far as I know, except the United States, has resorted to this expedient to ensure delivery of copies for national use, and as this Report recommends (paragraph 16) that copyright should continue to be regarded as a proprietary right, I think its title should not be weakened even thus indirectly.

At present the publisher is fined for non-delivery of the book. It is recommended in paragraph 152 that this system be continued; and I think it quite unnecessary that the kind of penalty suggested in paragraph 154 should be added.

2. I cannot agree to the recommendation in paragraph 147 that a charge should be made for *original* registration.

Registration is not sought for or required by the copyright owner, but is imposed on him for the benefit of the public.

The modification of the form of receipt now given, as suggested in this Report, would not add to the labour at present incurred on receipt of a book by the British Museum.

The fees for searchings and certificates of registration should, I think, be high enough to cover the expense of obtaining them, but they are not often required in practice.

If the fee of one shilling for *original* registration be imposed, it will become a heavy tax on copyright owners, especially on proprietors of newspapers. There are now published in Great Britain more than

	£	*s.*	*d.*
140 daily papers, each of which would have to pay annually	15	13	0
1,400 weekly ditto - - - - - -	2	12	0
800 monthly magazines - - - - -	0	12	0

And besides this a considerable revenue would arise from new books and new editions.

As the chief object of registration (see paragraph 66), is to secure a national collection of every literary work, I think it sufficient to insist on a copy being given as at present, without compelling the copyright owner to pay one shilling in addition every time he makes the donation.

FREDERICK RICHARD DALDY. (L.S.)

DIGEST OF THE LAW OF COPYRIGHT.

BY SIR JAMES STEPHEN, Q.C., K.C.S.I.

(See Report, paragraphs 6 and 14).

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A Digest of the Law of Copyright.

CHAPTER I.

Copyright at Common Law in Unpublished Documents and Works of Art.

Alterations in the Existing Law suggested by the Commission.

[a] Report, para. 15.

Article 1.

Copyright in Private Documents.

[1] The author or owner of any literary composition or work of art has a right, so long as it remains unpublished, to prevent the publication of any copy of it by any other person.

Illustrations.

1.[2] A. has etchings made by himself for his own satisfaction, but never published; B. obtains copies of them; A. has a right to prevent B. from publishing such copies.

2.[3] A., the personal representative of Lord Clarendon, the historian, had a right, nearly a hundred years after Lord Clarendon's death, to prevent the representative of B., to whom Lord Clarendon lent unpublished historical MSS., from publishing those MSS.

Article 2.

Effects of Limited Publication of Private Documents.

The publication of any such thing as is mentioned in the last article for a special and limited purpose, under any contract, or upon any trust express or implied, does not authorise the person to whom such thing is published to copy or reproduce it, except to the extent and for the purposes for which it has been lent or intrusted to him.

Illustrations.

1.[4] A. lends photographs to B. for a particular purpose. B. fails, and his assignees sell the photographs; A. can restrain the purchaser from making and selling copies of them.

2.[5] A. delivers a written lecture to B. and other students who pay fees for attendance; B. has a right to take notes for purpose of study, but not in order to publish them for profit.

Article 3.

Letters.

[6] A person who writes and sends a letter to another retains his copyright in such letter,

[1] This proposition is affirmed in different forms by all the judges in Jefferys v. Boosey, and also by all the Law Lords. See 4 H. L. C. 846, 867, 893, 903, 919, 944, 962, 978.

[2] Prince Albert v. Strange, 1 Mac. & Gor. 25.

[3] Duke of Queensberry v. Shebbeare, 2 Eden, 329.

[4] Maysll v. Higbey, 1 H. & C. 148.

[5] Abernethy v. Hutchinson, 1 Hall & Tw. 28.

[6] Gee v. Pritchard, 2 Swanst. 402; Story, Equity Jurisdiction, *sects.* 947–9; Oliver v. Oliver, 11 C. B. N. S. 139. A distinction was supposed to exist between literary letters and common letters, which is elaborately refuted in Story, s. 946–7. I think the supposed distinction proceeds on a misapprehension of the language of Sir T. Plumer in Perceval v. Phipps, 2 Ve. & B. 24–8. The law is stated very fully in the American case of Folsom v. Marsh, 2 Story, 111–12. The circumstances which would justify the publication of a private letter are illustrated by the case of Palin v. Gathercole, Coll. 565.

except in so far as the particular circumstances of the case may give a right to publish such letter to the person addressed, or to his representatives, but the property in the material on which the letter is written passes to the person to whom it is sent, so as to entitle him to destroy or transfer it.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 4.

No other Copyright except by Statute.

[1]There is (probably) no copyright after publication in any of the things mentioned in Article 1, except such copyright as is given by the express words of the statutes herein-after referred to.

Publication in this article means in reference to books (as defined in the next article) publication for sale. It is doubtful whether in relation to works of art it has any other meaning. There is (it seems) no copyright in dramatic performances except by statute.

ILLUSTRATIONS.

1.[2] A. (an Italian) publishes in Italy a musical composition, and in Italy assigns to B. his copyright in it; B. republishes the same musical composition in England. B. has no copyright in the composition in England.

CHAPTER II.

COPYRIGHT IN BOOKS.

[3]ARTICLE 5.

[3] Report, paras. 23–44.

Book defined.—Law of Copyright in Books.

[4]In this chapter the word "book" means and includes every volume, part or division of a volume, pamphlet, sheet of letter-press, sheet of music, map, chart, or plan, separately published.

[4]The word "copyright" means the sole and exclusive liberty of printing, or otherwise multiplying copies of any subject to which the word is applied.

When a book is published in the lifetime of its author, the copyright therein is the personal property of the author and his assigns from the date of such publication, for whichever may be the longer of the two following terms, that is to say:—

[5](1.) A term of 42 years from publication;

(2.) The life of the author, and a term of seven years, beginning from his death.

[5] *For* "A term of 42 years,"—"its first publication," *read*—

(1.) A term of 30 years from the death of the author in the

[1] *See* APPENDIX, *Note* A.

[2] Jefferys v. Boosey, 4 H. L. C. 920.

[3] The question was also much discussed in Reade v. Conquest, 9 C. B. (N. S.) 755.

[4] 5 & 6 Vict. c. 45. s. 2. The section contains no definition of "publish." It is obviously used, however, in the sense of publishing in the way of trade, and not in the more general sense in which it is used, in such an expression as "publishing a libel."

[5] 5 & 6 Vict. c. 45. s. 3 (re-drawn). The words "personal property" consolidate s. 25 with s. 3.

If the publication takes place after the author's death, the proprietor of the author's manuscript and his assigns have copyright in his book for a term of 42 years from its first publication.

[1] If one person employs and pays another to write a book on the terms that the copyright therein shall belong to the employer, the employer has the same copyright therein as if he had been the author.

[2] If the publisher or proprietor of any encyclopædia, review, magazine, or periodical work, or work published in parts or series, employs and [3] pays persons to compose any volume, part, essay, article, or portion thereof, on the terms that the copyright therein [4] shall belong to such publisher or proprietor, such publisher or proprietor has upon publication the same rights as if he were the author of the whole work (with the following exceptions):—

1. After [b] 28 years from the first publication of any essay, article, or portion in any review, magazine, or other periodical work of a like nature [c][not being an encyclopædia],[c] the right of publishing the same in a separate form reverts to the author for the remainder of the term for which his copyright would have endured if the same had been originally published by him elsewhere.
2. During the said term of 28 years [d] the publisher or proprietor may not publish any such essay, article, or portion, separately or singly, without the consent of the author or his assigns.

The author of any such magazine as aforesaid may, by contract with any such publisher or proprietor, reserve the right of publishing any work, his composition, in a separate form, and if he does so he is entitled to copyright in such composition when so published for the same term as if such publication were the first publication, but without prejudice to the right of the publisher or proprietor to publish the same as part of such periodical work.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

case of books published in the author's lifetime and with his name.

(2.) A term of 30 years from the date of the deposit of the book for the use of the British Museum, in the case of works published anonymously or after the death of their authors, and of cyclopædias; provided that, if the author of an anonymous work publishes in his lifetime an edition bearing his name, he shall be entitled to copyright therein for his life, and 30 years after his death.

This term is referred to in the alterations herein-after contained as "the term of copyright."

If a book is published after the author's death, the copyright therein belongs to the proprietor of the manuscript and his assigns.

[b] *For* "28" *read* "3." Report, para. 43.

[c] Report, paras. 40–41.

[d] *For* "28" *read* "3" *and for* "the publisher or proprietor may not" *read* "neither the publisher nor the proprietor nor any other person may." (Report, para. 44.)

[1] This seems to be part of the meaning of the first part 5 & 6 Vict. c. 45. s. 18, but the language is not absolutely clear. Part of that section as it stands is bad grammar. The words "and paid for," should probably be "and should be paid for."

[2] 4 & 5 Vict. c. 45. s. 18.

[3] An actual payment, as distinguished from a contract to pay, by the proprietor to the contributor is necessary. Payment by the editor to the contributor is not sufficient to give the proprietor who pays the editor copyright, Brown v. Cook, 16 L. J., Ch. 142–3.

[4] *i.e.*, in the periodical work containing all the articles, Brown v. Cook, 16 Law Journ., Ch. 143.

[5] This parenthesis gives what is presumed to be the effect of the omission in the latter part of the article of the reference to encyclopædias contained in the former part.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[1] In order to provide against the suppression of books of importance to the public, the Judicial Committee of the Privy Council are empowered, on complaint that the proprietor of the copyright in any book after the death of its author has refused to republish or allow the republication of the same, and that by reason of such refusal such book may be withheld from the public, to grant a license to such complainant to publish such book in such manner and subject to such conditions as they think fit, and the complainant may publish such book accordingly.

The whole of this article is subject to the limitations contained in the subsequent articles of this chapter.

[2] It applies—

[6] (1.) To all books published after 1st July 1842.

(2.) To all books published before that day in which copyright was then subsisting, unless such copyright was vested in any publisher or other person who acquired it for any consideration other than that of natural love or affection, in which case such copyright endures for the term then provided for by law, unless the author, if living on that day, or if he were then dead his personal representative, and (in either case) the proprietor of the copyright, registered before the expiration of the term of copyright to which they were then entitled, consent to accept the benefits of the Act 5 & 6 Vict. c. 45. in a form provided in a schedule therein.

[6] A provision corresponding to this would be made with reference to the date of any new Act. (Report, para. 42).

ARTICLE 6.

Who may obtain Copyright in Books.

[3] In order that copyright in a published book may be obtained under the provisions of Article 5 the book must in all cases be published in [7] the United Kingdom. The author or other person seeking to entitle himself to copyright may be either—

(*a.*) A natural born or naturalized subject of the Queen, in which case his place of residence at the time of the publication of the book is immaterial; or

(*b.*) A person who at the time of the publication of the book in which copyright is to be obtained owes local and temporary allegiance to Her Majesty by residing at that time in some part of Her Majesty's dominions.

[7] *For* "the United Kingdom," *read* "Her Majesty's dominions" (para. 58).

[8] *Substitute for the rest of this article the following :—*

"a subject of Her Majesty or an alien, and the place of his residence at the time of publication, shall in all cases be immaterial."

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[1] 5 & 6 Vict. c. 45. s. 5.
[2] 5 & 6 Vict. c. 45. s. 4.
[3] Routledge v. Low, L. R., 3 E. & I. A. 100. See, too, Jefferys v. Boosey, 4 H. L. C. 815.

[1] It is probable, but not certain, that an alien friend who publishes a book in the United Kingdom whilst resident out of Her Majesty's dominions, acquires copyright throughout Her Majesty's dominions by such publication.

ARTICLE 7.

Previous and Contemporary Publication out of the United Kingdom.

[h] [2] No copyright in a book published in the United Kingdom can be obtained under Article 5, if the book has been previously published by the author in any foreign country, but the contemporaneous publication of a book in a foreign country and in the United Kingdom does not prevent the author from obtaining copyright in the United Kingdom.

[3] It is uncertain whether an author obtains copyright by publishing a book in the United Kingdom, after a previous publication thereof in parts of Her Majesty's dominions out of the United Kingdom.

It is uncertain whether an author acquires copyright under Article 5 in any part of Her Majesty's dominions out of the United Kingdom (apart from any local law as to copyright which may be in force there) by the publication of a book in such part of Her Majesty's dominions.

ILLUSTRATIONS.

A. publishes a book in the United States and afterwards publishes it in England. A. gains no copyright in England.

A. publishes a book substantially at the same time in England and in America. The publication in America does not prevent A. from gaining copyright in England.

A. publishes a book at the Cape of Good Hope. It is uncertain whether by that publication he obtains copyright in the Cape of Good Hope under 5 & 6 Vict. c. 45. and apart from any local law in force at the Cape of Good Hope. It is also uncertain whether by that publication he obtains or debars himself from obtaining copyright for the book by a subsequent publication in England.

[i] ARTICLE 8.

No Copyright in immoral Publications.

[4] No copyright can exist in anything in which copyright would otherwise exist if it is immoral, irreligious, seditious, or libellous, or if it professes to be what it is not, in such a manner as to be a fraud upon the purchasers thereof.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[h] *For Article 7 substitute:—*

"Copyright in a book published in Her Majesty's dominions may be obtained under Article 5, although the book has been previously published by the author in a foreign country, if the subsequent publication takes place within three years of the previous publication, and if at the time of the previous publication the author or person seeking to entitle himself to copyright is either a natural born or naturalized subject of Her Majesty, or an alien domiciled in Her Majesty's dominions; but if such author or person is at the time of such previous publication an alien not domiciled in any part of Her Majesty's dominions, he shall not obtain copyright by any subsequent publication in Her Majesty's dominions, except under the provisions of some copyright treaty; provided that this shall not affect the provisions of any local law which may be in force in any part of Her Majesty's dominions."

N.B.—The second and third paragraphs of Article 7 would be superseded by the alterations and suggestions in the margin of Article 6 (*see* Report, 49–64.)

[i] Report, paras. 65, 66.

[1] This was the opinion of Lord Cairns and Lord Westbury in Routledge v. Low, but the case does not decide the point. Their view seems to be favoured by the Naturalization Act, 33 Vict. c. 14. s. 2, which enacts that personal property of every description may be taken, acquired, held, and disposed of in every respect by an alien in the same manner in all respects as by a natural born British subject.

[2] 7 & 8 Vict. c. 12. s. 19. As to the earlier law, see Clements v. Walker, 2 B. & C. 861. As to contemporaneous publication in a foreign country, *see* Cocks v. Purday, 2 C. & K. 269, 5 C. B. 860.

[3] These doubts arise from the language of the Law Lords in Routledge v. Low, all of whom declare in the most explicit terms that the first publication must be in the United Kingdom in order that copyright may be gained. The case, however, cannot be said exactly to decide this point.

[4] Walcot v. Walker, 7 Ves. 1. Lawrence v. Smith, 1 Jac. 471. Stockdale v. Onwhyn, 5 B. & C. 173. Wright v. Tallis, 1 C. B. 893. In this case it was held that there could be no copyright in a book which falsely and fraudulently purported to be a translation of a German work of devotion. These cases all refer to books, but the principle would obviously apply to pictures and sculptures. As to engravings, *see* Forbes v. Johnes, 4 Esp. 97, Du Bost v. Beresford, 2 Camp. 511.

[1] ARTICLE 9.

What is Infringement of Copyright in a Book, and what not.—Fair Use of Books.

The owner of the copyright in a book is not entitled to prevent other persons from publishing the matter contained in it if they invent or collect it independently, nor to prevent them from making a fair use of its contents in the composition of other books.

The question, what is a fair use of a book, depends upon the circumstances of each particular case, but the following ways of using a book have been decided to be fair:—

(*a.*) Using the information or the ideas contained in it without copying its words or imitating them so as to produce what is substantially a copy.

(*b.*) Making extracts (even if they are not acknowledged as such) appearing, under all the circumstances of the case, reasonable in quality, number, and length, regard being had to the object with which the extracts are made and to the subjects to which they relate.

(*c.*) Using one book on a given subject as a guide to authorities afterwards independently consulted by the author of another book on the same subject.

(*d.*) Using one book on a given subject for the purpose of checking the results independently arrived at by the author of another book on the same subject.

An abridgment may be an original work if it is produced by a fair use of the original or originals from which it is abridged, but the republication of a considerable part of a book is an infringement of the copyright existing in it, although it may be called an abridgment, and although the order in which the republished parts are arranged may be altered.[1]

ILLUSTRATIONS.

(1.) [2] A. publishes a directory containing the names and addresses of a large number of persons. A. cannot prevent B. from publishing the same names and addresses if he collects them for himself, but A. can prevent B. from reprinting A.'s directory (with or without corrections) without collecting the information contained in it for himself.

(2.) [3] A. publishes a French dictionary. B., taking A.'s dictionary as a starting point, but adopting a different vocabulary, abridges A.'s statements in many instances and supplements and corrects them in many others by matter taken from other writers. This is not an unfair use of A.'s dictionary.

(3.) [4] B. publishes a road-book containing certain passages taken without acknowledgment from a similar road-book by A., the quantity of matter shown to be taken being small, and no substantial part of the one book being a transcript of the other. This is not an unfair use of A.'s road-book.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[1] *Add at end of Article* 9:—

"No abridgment of a work in which copyright exists shall be published during the term of copyright without the consent of the person entitled to such copyright." (Report, para. 69.)

[1] *See* APPENDIX, *Note* B.

[2] Kelly v. Morris, L. R. 1 Eq. 697.

[3] Spiers v. Brown, 6 W. R. 352.

[4] Cary v. Kearsley, 4 Esp. 168. This case shows the distinction between plagiarism, a literary impropriety, and piracy, a legal wrong.

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(4.) [1] A. owns the copyright of 50 volumes of law reports. B. publishes two volumes of leading cases containing 27 cases, each illustrated by elaborate and laborious notes on the subjects to which the case refers. The 27 cases are extracted verbatim from different parts of the 50 volumes. Probably this is not an unfair use of the 50 volumes.

(5.) [2] A. publishes two volumes of poems. B. publishes a collection of poetry, and inserts in it six of the best of A.'s poems. This is an infringement of A.'s copyright.

(6.) [3] A. publishes a treatise on fencing of 118 pages. B. copies into an article in a cyclopædia on the same subject 75 pages of A.'s treatise. This is an infringement of A.'s copyright.

(7.) [4] A. publishes a book on the descent of the modern English from the ancient Britons, quoting many authorities for the opinions which he maintains. B. refers to the authorities quoted by A., makes the same quotations, and arrives at similar results. This is not an unfair use of A.'s book.

(8.) [5] A. publishes a table of logarithms. B. goes through the same calculations and works out the same results. B. checks his results by A.'s book. This is not an unfair use of A.'s book.

(9.) [6] Viner's Abridgment and Comyn's Digest are books in which copyright may exist, although they consist entirely of matter compiled from other books.

(10.) [7] A. publishes a series of law reports, with a short head-note prefixed to the report of each case. B. republishes the head-notes, arranged in the order of their subject matter, under the title of the Monthly Digest. B. infringes A.'s copyright.

ARTICLE 10.

Crown Copyright.

[8] It is said that Her Majesty and her successors have the right of granting by patent from time to time to their printers an exclusive right to print the text of the authorised version of the Bible, of the Book of Common Prayer, and possibly the text of Acts of Parliament.

ARTICLE 11.

University Copyright.

[k] [9] The Universities of Oxford, Cambridge, Edinburgh, Glasgow, St. Andrew's, and Aberdeen, each college or house of learning at the universities of Oxford and Cambridge, Trinity College, Dublin, and the colleges of Eton, Westminster, and Winchester, have for ever the sole liberty of printing and reprinting all such books as have been or hereafter may be

[k] *Articles* 11 *and* 12 *to be repealed.* (Report, paras. 45–48.)

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[1] Saunders v. Smith, 3 Myl. Cr. 711. The injunction in this case was refused on grounds unconnected with piracy, but no action was ever brought, and leading cases upon many subjects have since been published, I believe, without interruption.

[2] Campbell v. Scott, 11 Sim. 31. The difference between this case and the last is that no independent labour at all, except that of copying, was employed in the one case, whereas in the other the extracts, though considerable in length and number, were mere texts to an elaborate commentary.

[3] Roworth v. Wilkes, 1 Camp. 94.

[4] Founded on Pike v. Nicholas, L. R., 5 Ch. 251. The case involves the illustration, though the facts are not precisely the same.

[5] Per Vice-Chancellor Page Wood in Jarrold v. Houlston, 3 K. & J. 715–6.

[6] Per Lord Lyndhurst in D'Almaine v. Boosey, 1 Y. & C. 296. The books mentioned are laborious works of reference for legal purposes.

[7] Sweet v. Benning, 16 C. B. 459.

[8] See Copinger on Copyright, ch. ix.

[9] 15 Geo. 3. c. 53.; 41 Geo. 3. c. 107.; 5 & 6 Vict. c. 45. s. 27. 41 Geo. 3. c. 107. s. 3 extended the privilege to Dublin. This section must, I think, have been kept alive by 5 & 6 Vict. c. 45. s. 27, though s. 1 repeals the whole Act, and though it is totally omitted from the revised edition of the statutes.

bequeathed or given to them, or in trust for them, by the authors thereof, or by their representatives, unless they were given or bequeathed for any limited term.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 12.

How such Right forfeited.

The exclusive right mentioned in the last article lasts so long only as the books or copies belonging to the said universities or colleges are printed only at their own printing presses within the said universities or colleges respectively, and for their sole benefit and advantage.

If any university or college delegates, grants, leases, or sells its copyright or exclusive right of printing books granted by 15 Geo. 3. c. 53., or any part[1] thereof, or allows or authorises any person to print or reprint the same, the privilege granted by the said Act becomes void and of no effect, but the universities or colleges may sell the copyrights bequeathed to them as for the terms secured to authors by the 8 Anne c. 19.

CHAPTER III.

COPYRIGHT IN DRAMATIC PIECES, LECTURES, AND WORKS OF ART.

[1] Report, paras. 70–75.

ARTICLE 13.

Term of Copyright in Dramatic Pieces.

[m] [2]The author, or the assignee of the author, of any tragedy, comedy, play, opera, farce, or any other dramatic piece or entertainment or musical composition not printed and published by such author or assignee, has, as his own property, the sole liberty of representing or causing to be represented or performed, any such dramatic piece or musical composition at any place of dramatic entertainment whatever in Her Majesty's dominions (possibly in perpetuity, but more probably for) whichever is the longer of the two following terms, viz. :—

(1.) Forty-two years from the first public representation of such dramatic piece or musical composition.

(2.) The life of the author and a further term of seven years beginning from his death.

[3]The singing of a single song of a dramatic character in a dramatic manner may amount to a dramatic entertainment within the meaning of this article.

[3]Any place at which a dramatic entertain-

[m] *Substitute for Articles* 13 *and* 14 *the following* :—

The author of any tragedy, comedy, play, opera, farce, or any other dramatic piece or entertainment or musical composition, shall have—

(*a.*) The sole liberty of representing, or causing it to be represented, or performed; and

(*b.*) The sole liberty of publishing it as a book,

for the term of copyright, such term commencing at the first public representation or performance, or at the publication of such dramatic piece as a book, whichever may first happen.

If such first representation, performance, or publication takes place out of the United Kingdom, such

[1] It is not quite clear whether this means any part of the books or any part of the right of printing them.

[2] 3 & 4 Will. 4. c. 15. s. 1, as amended by 5 & 6 Vict. c. 45. s. 20. The doubt expressed in the text arises thus: By 3 & 4 Will. 4. c. 15. s. 1, the author has "as his own property the sole right of representation, &c." no term being specified. If the piece is published as a book, he has copyright for 28 years from representation. If this stood alone, it would seem as if the right of publication was perpetual, but the language of 5 & 6 Vict. c. 42. s. 20, shows that the Legislature does not so understand the Act. The words are "Whereas it is "expedient to *extend* the sole liberty of representing dramatic pieces to the full time provided by this Act for "the continuance of copyright" . . "Be it enacted" . . "that the sole liberty of representing; &c. "any dramatic piece . . shall endure . . for the term in this Act provided for the duration of copy- "right in books." It thus appears that the Legislature in 1842, understood the Act of 1833 in a term different from that which the bare words appear to impart. A court of law would probably hold that if the wider term was granted by the earlier Act it was cut down by the later Act.

[3] Both these points were decided in Russell v. Smith, 12 Q. B. 217.

ment is given [? for profit] on any particular occasion is a place of dramatic entertainment within the meaning of this article.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

copyright as aforesaid may be obtained by a representation, performance, or publication within the United Kingdom within the term of three years next subsequent thereto. (Report, paras. 74, 75, and 61.)

ARTICLE 14.

Condition of Copyright in Dramatic Pieces.

[1]The exclusive right of representing or performing a dramatic piece or musical composition cannot be gained if such dramatic piece or musical composition has been printed and published as a book before the first representation thereof.

[2]Or, if it has been publicly represented or caused to be represented by the author or his assigns in any place out of Her Majesty's dominions before it was publicly represented in them, except under the International Copyright Act.

ARTICLE 15.

Copyright in and Representation of Dramas.

[3]Copyright in a book containing or consisting of a dramatic piece or musical composition is a right distinct from the right to represent such dramatic piece or musical composition on the stage, and [4]no assignment of the copyright of any such book conveys to the assignee the right of representing or performing such dramatic piece or musical composition unless an entry of such assignment is made in the registry book mentioned in Article 23, expressing the intention of the parties that such right should pass.

ARTICLE 16.

Representation of a Drama no Infringement of Copyright.

[n 5] A dramatic piece or musical composition published as a book may (it seems probable) be publicly represented without the consent of the author or his assigns.

[n] *This article to be repealed. See alterations suggested to Article* 13.

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[1] This seems to be involved in 3 & 4 Will. 4. c. 15. s. 1, the effect of which is given in the last article.

[2] 7 & 8 Vict. c. 12. s. 19. As explained by V. C. Page Wood in Boucicault v. Delafield, 1 Hem. & Miller, 597. This decision has been followed very lately in the case of Boucicault v. Chatterton, Weekly Notes for Nov. 25, 1876, before Malins, V. C. The contention for the plaintiff was that the International Copyright Act did not apply to British subjects, and that the words "first published" in 7 & 8 Vict. c. 12. s. 19. did not mean as regarded a dramatic piece "first publicly represented," but "first published as a book," (so at least I understand the report of Lord (then Sir Hugh) Cairns' argument, which is compressed into a very few lines). The decisions referred to (the last of which is I believe under appeal) have warranted this contention.

[3] The general proposition is an inference from what follows, but it is necessary to make what follows clear.

[4] 5 & 6 Vict. c. 45. s. 22.

[5] The only authority I have been able to find on this point is the case of Murray v. Elliston, 5 B. & Ald. 657, which appears to imply the proposition contained in the article. Elliston brought out Lord Byron's tragedy of Marino Faliero, in a state adapted for the stage by considerable omissions. Abbott Bayley and Holroyd, J. J., reported to the Lord Chancellor that in their opinion no action would lie against him for so doing. I do not know how far the alterations necessary to adapt the piece to the stage might make it a new work, and I have therefore introduced the "it seems" into the article. The case of a dramatized novel affords a very close analogy.

ARTICLE 17.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[o] *Dramatization of Novels.*

[1] The public representation of a dramatic piece constructed out of a novel is [p] not an infringement of the copyright of the author of the novel or his assigns, [q] but the printing [2] and publication as a book of such dramatic piece so represented may be such an infringement.

[r] [3] If two persons independently of each other convert a novel into a dramatic piece, each has an exclusive right of representing his own dramatic piece, though one of them may be the author of the novel so dealt with and though the two pieces may have parts in common.

[o] Report, paras. 76–81.

[p] *Omit* "not." (Report, para. 80.)

[q] *For* "but" *read* "and." (Report, para. 81.)

[r] *Omit this paragraph.*

ARTICLE 18.

Infringement of Copyright in a Musical Composition.

[4] Copyright in a musical composition is infringed when a substantial portion of the music in which copyright exists is reproduced either without any alteration or with such alterations as are required to adapt it to a different purpose or instrument, the alterations being of such a character that the substantial identity between the original and the altered version can be recognised by the ear.

ARTICLE 19.

[s] *Copyright in Lectures.*

[t] [5] The author of any lecture, or his assign, has by statute the sole right of publishing any lecture, of the delivery of which notice in writing has been given to two justices living within five miles from the place where such lecture is delivered two days at least before it is delivered, unless such lecture is delivered in any university, public school, or college, or on any public foundation, or by any person in virtue of or according to any gift, endowment, or foundation.

The author of any lecture has [probably] at common law the same right as by statute, without giving such notice as is required by statute, but he cannot recover the penalties provided by the Act and specified in Article 35, for an infringement of his copyright.

[s] Report, paras. 82–87.

[t] *Substitute for this article the following:—*

"The author of any lecture and his assigns shall have,—

(*a.*) The exclusive right of delivering such lecture for the term of copyright commencing from the first delivery thereof, provided that if he publishes such lecture as a book his exclusive right of delivering it shall thereupon determine.

(*b.*) The exclusive right of publishing such lecture as a book, provided that no report of any lecture published in a newspaper shall be deemed to be an infringement of such right unless at the time of delivering such lecture the lecturer gives public notice that he prohibits the publication thereof in newspapers.

[1] Reade v. Conquest, 9 C. B. (N. S.) 755. There is another case of Reade v. Conquest, 11 C. B. (N. S.) 479, which decides that when an author turns his own play into a novel the reconversion of the novel into a play containing scenes imported into the novel from the first play is an infringement of the author's copyright in the original play, but this is rather an illustration of the law than a distinct item in it. There is an odd contrast between the circumstances of this case and that of Toole v. Young (*see* next note), but they are quite consistent when carefully considered.

[2] Tinsley v. Lacy, 1 Hem. and Mill. 747.

[3] Toole v. Young, L. R. 9, Q. B. 523.

[4] D'Almaine v. Boosey, 1 Y. & C. 288.

[5] 5 & 6 Will. 4, c. 65, ss. 1 and 5. The last paragraph appears probable, but it cannot be called certain.

ARTICLE 20.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[u] *Copyright in Sculpture.*

[1] Every person who makes or causes to be made any new and original sculpture, or model, or copy, or cast of any of the things mentioned in the footnote,[v] [2] has the sole right therein for the term of [w] 14 years from first putting forth or publishing the same, provided that the proprietor causes his name, with the date, to be put on every such thing before it is published. If the proprietor be living at the end of the term of 14 years, his right returns to him for a further term of 14 years, unless he has divested himself thereof.

[u] Report, paras. 97–100.

[v] *Add here* "or any copy or cast of "any sculpture in which there is no "copyright existing at the time when "such copy or cast is made." (Report, para. 100.)

[w] *Substitute* "copyright" *for* "14 years—the same," *and omit the last sentence of this article as it stands, and add the following:*—

"Every imitation of any such thing, whether by sculpture, modelling, photography, drawing, or otherwise, shall be deemed to be an infringement of such rights." (Report, paras. 95–99.

ARTICLE 21.

[x] *Copyright in Paintings and Photographs.*

[3] The author, [y] being a British subject or resident within the dominions of Her Majesty, of any original painting, drawing, or photograph, not having been sold before the 29th July 1862, has the sole and exclusive right of copying, engraving, reproducing, and multiplying such painting or drawing, and the design thereof, or such photograph and the negative thereof, by any means or of any size, whether made in the Queen's dominions or not, for the term [z] of his life and seven years after his death,[4] but this right does not affect the right of any other person to represent any scene or object represented by any such painting.

[5] If any painting or drawing, or the negative of any photograph, herein-before mentioned, is

[x] Report, paras. 101–124.

[y] *Omit* "being a British subject—Her Majesty." (Report, para. 96, and the addition to Article 22.)

[z] *Substitute for* "of his life," &c.—"in the case of paintings and drawings, for the term of copyright, and in the case of photographs, for 30 years from the date of the publication thereof, unless such photographs were

[1] 54 Geo. III. c. 56. ss. 1 & 6.

[2] (1.) The human figure.
(2.) Any bust.
(3.) Any part of the human figure clothed in drapery or otherwise.
(4.) Any animal.
(5.) Any part of any animal combined with the human figure, or otherwise.
(6.) Any subject being matter of invention in sculpture.
(7.) Any alto or basso relievo representing any of the matters aforesaid.
(8.) Any cast from nature.
(i.) Of the human figure.
(ii.) Of any part or parts of the human figure.
(iii.) Of any animal.
(iv.) Of any part of any animal.
(v.) Of any such subject (? as referred to in (6)) containing or representing any of the things herein-before mentioned, whether separate or combined.

This section is a miracle of intricacy and verbosity. It also contains an "of," which may be a misprint, as it seems to make nonsense of several lines, and a most puzzling "such" of which I have given a conjectural interpretation. Moreover, every substantive is given both in the singular and plural, "figure or figures," "part or parts," &c., &c. The section forms a sentence of 38 lines, the first half of which is repeated in the second half in so intricate a way that the draftsman appears to have lost himself in the middle of it. It admits of a doubt whether a cast from nature of an animal is the subject of copyright at all, and whether it must not be a cast from a cast from nature.

[3] 25 & 26 Vict. c. 68. s. 1.

[4] s. 2.

[5] This is my interpretation of the latter part of the section, which is very intricate and involved. The words in the parentheses are not in the Act, but they seem to me to be a legal inference from its provisions, and from the assumption on which the Act is based, that apart from it there is no copyright in paintings, &c. This assumption, however, is not absolutely correct, as appears from Article I. It can hardly have been intended to abolish the common law principles embodied in that article by this statute, but I am not sure that that is not its effect.

made by the author for or on behalf of any other person for a good or valuable consideration, such person is entitled to copyright therein.

If any such thing is, after the 29th July 1862, for any such consideration transferred for the first time by the owner to any other person, the owner may, by an agreement in writing signed at or before the time of such transfer by the transferee, reserve the copyright to himself, [a1] or he may, by an agreement in writing signed by himself or by his agent duly authorised, transfer the copyright to such transferee. (If no such agreement in writing is made, the copyright in such painting ceases to exist.)

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

first published as part of a book, in which case the copyright in them shall last as long as the copyright in the book."

[a1] *Omit* "or he may" &c. *to the end of the article, and substitute*—

"If no such agreement is made the copyright, shall pass, in the case of pictures and drawings, to the owner thereof for the time being, and in the case of photographs, to the owner of the negative, provided that no person who has made the negative of any photograph by the direction and at the expense of any other person shall be entitled to sell or exhibit for sale impressions thereof without such person's consent.

"Provided also, that when any person has painted any picture or made any drawing by the direction of any other person, the copyright in studies or sketches made for the purpose of such picture or drawing shall not by reason thereof pass from the person who made them." (Report, paras. 115, 119, 120, 124.)

ARTICLE 22.

Copyright in Engravings.

[1] Everyone has for [b2] 28 years from the first publishing thereof the sole right and liberty of multiplying, by any means whatever, copies of any print [2] of whatever subject which he has—

(*a.*) Invented or designed, graved, etched, or worked in mezzotinto or chiaro-oscuro; or which he has—

(*b.*) From his own work, design, or invention caused or procured to be designed, engraved, etched, or worked in mezzotinto or chiaro-oscuro; or which he has—

(*c.*) Engraved, etched, or worked in mezzotinto or chiaro-oscuro, or caused to be engraved, etched, or worked from any picture, drawing, model, or sculpture, either ancient or modern:

Provided that such prints are truly engraved with the name of the proprietor on each plate and printed on every print. [c3]

[2] Prints taken by lithography and other mechanical processes are now upon the same footing as engravings.

[b2] *For* "28" *read* "30." (Report, para. 122.)

[c3] *Add:* "All the alterations suggested in the last article as to photographs shall apply to engravings also." (Report, para. 122.)

[1] Effect of 8 G. 2. c. 13. s. 1, as enlarged and altered by 7 G. 3. c. 38. ss. 1, 2, 6. Extended to Ireland by 6 & 7 W. 4. c. 59. s. 1.

[2] The words are "any historical print or prints, or any print or prints of any portrait, conversation, [illegible]e, or architecture, map, chart, or plan, or any other print or prints whatsoever." [illegible] above referred to as explained by 15 & 16 Vict. c. 12. s. 14, and Graves v. Ashford, L. R., 2, C. P. [illegible] Gambart v. Ball, 14 C. B. (N.S.) 306.

CHAPTER IV.

REGISTRATION.

ARTICLE 23.

The Registration of Books.

[1] A book of registry must be kept at Stationers' Hall, in which the proprietor of copyright in any book, or of the right of representation of any dramatic piece or musical composition, whether in manuscript or otherwise, may upon the payment of a fee of 5*s.* enter in the register the particulars stated in the form given in the footnote.[2]

[3] The proprietor of the copyright in any encyclopædia, review, magazine, or periodical work, or other work published in a series, is entitled to all the benefit of registration on entering in the book of registry the title of such work, the time of publishing the first volume or part, and the name and place of abode of the proprietor and publisher when the publisher is not also the proprietor.

Every such registered proprietor may assign his interest or any portion of his interest by making an entry in the said book of such assignment in the form given in the footnote.[4]

[5] Licenses affecting any such copyright may also be registered in the said register.

Any person aggrieved by any such entry may apply to the High Court, or any judge thereof, to have such entry expunged or varied, and the court may make such order for that purpose as it thinks just.

It is a misdemeanor to make or cause to be made any false entry in such book wilfully.

The officer in charge of the book is bound to give sealed and certified copies of the entries contained therein on payment of a fee of 5*s.*, and such copies are primâ facie proof of the matters alleged therein.

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[d 4] Report, paras. 128–159.

[e 5] *Substitute for this chapter the following:—*

An officer shall be appointed by the Government, whose duty it shall be to register things in which copyright exists.

In the case of books, engravings, prints, and photographs, registration shall be effected as follows:—The copyright owner shall deliver to the registrar a copy of the thing to be registered. The registrar shall, upon the payment of a fee of one shilling, and no more,—

(*a.*) Make in the register a memorandum of the receipt of the thing registered;

(*b.*) Deliver a certified copy of such receipt to the person registering;

(*c.*) Forward the thing registered to the British Museum.

The certified copy shall be *primâ facie* evidence of the publication and due registration of the work, and of the title to the copyright therein.

No owner of copyright shall be entitled to take or maintain any proceedings or to recover any penalty in respect of his copyright until he has registered the thing in which he claims copyright, nor after he has registered it in respect of anything done before registration.

These provisions shall apply to the case of paintings, drawings, and

[1] 5 & 6 Vict. c. 45. ss. 11–14 (a good deal condensed).

[2] (*a*) Original Entry of Proprietorship of Copyright of a Book.

Time of making the Entries.	Title of the Book.	Name of the Publisher and Place of Publication.	Name and Place of Abode of the Proprietor of the Copyright.	Date of First Publication.

[3] 5 & 6 Vict. c. 45. s. 19.

[4] (*b*) Form of Entry of Assignment of Copyright in any Book previously registered.

Date of Entry.	Title of Book. Set out the Title and refer to the Page of the Registry Book in which the Original Entry of the Copyright thereof is made.	Assignor of Copyright.	Assignee of Copyright.

[5] No particulars about the registration of licenses are contained in the Act.

[1] The fee for the registration of university copyrights and for copies of them is 6*d.*, and they may be inspected without fee.

ARTICLE 24.

Effect of Registration in case of Books.

[2] No proprietor of copyright in any book can take any proceedings in respect of any infringement of his copyright unless he has, before commencing such proceedings, caused an entry to be made in the said register under the last article.

The omission to make such entry does not affect the copyright in any book, but only the right to sue or proceed in respect of the infringement thereof.

ARTICLE 25.

Registration in respect of Dramatic Copyright.

[3] The remedies which the proprietor of the sole liberty of representing any dramatic piece has under Article 32 are not prejudiced by an omission to make any entry respecting such exclusive right in the said register.

ARTICLE 26.

Registration of Copyright in Paintings, &c.

[4] A book entitled the Register of Proprietors of Copyright in Paintings, Drawings, and Photographs, must be kept at the Hall of the Stationers' Company.

A memorandum of every copyright to which any person is entitled under Article 21, and of every subsequent assignment of any such copyright, must be entered therein; such memorandum must contain a statement of:—

(*a.*) The date of such agreement or assignment;
(*b.*) The names of the parties thereto;
(*c.*) The name and place of abode of the person in whom such copyright is vested by virtue thereof, and of the author of the work;
(*d.*) A short description of the nature and subject of such work, and, if the person registering so desires, a sketch, outline, or photograph of the work in addition thereto.

No proprietor of any such copyright is entitled to the benefit of 25 & 26 Vict. c. 68 until such registration, and no action can be maintained, nor any penalty be recovered, in respect of anything done before registration;[5] but it is not essential to the validity of a registered assignment that previous assignments should be registered.

[6] The three paragraphs of Article 23, relating to the correction of errors in the register, the making of false entries, and the giving of certificates, apply also to the book in this article mentioned.

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sculptures, only if the copyright therein is vested in some person other than the owner. In such cases the entry in the register must contain the date of the agreement by which such copyright is so separated, the names of the parties thereto, the names and places of abode of the artist and of the person in whom the copyright is vested, and such a description, sketch, outline, or photograph of the work as will be sufficient to identify it. In the case of dramatic pieces and musical compositions which are publicly performed, but not printed and published, the title of every dramatic or musical composition, with the name of the author or composer, and the date and place of its first public performance, should be registered. (Report, paras. 146, 147, 152, 154–9.)

[1] 15 Geo. 3. c. 53. s. 4.
[2] 5 & 6 Vict. c. 45. s. 24.
[3] 5 & 6 Vict. c. 45. s. 24., paraphrase of concluding proviso.
[4] 25 & 26 Vict. c. 68. s. 4.
[5] Graves Case, L.R. 4 Q. B. 715.
[6] 25 & 26 Vict. c. 68. s. 5.

CHAPTER V.

PENALTIES.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 27.

Penalties for infringing Copyright in Books.

[1] Every one is liable to an action[2] who, in any part of the British dominions,—

(*a.*) Prints or causes to be printed, either for sale or exportation, any book in which there is subsisting copyright, without the consent in writing of the proprietor;

(*b.*) Imports for sale or hire any such book so having been unlawfully printed from parts[3] beyond the sea;

(*c.*) Knowingly sells, publishes, or exposes to sale or hire, or causes to be sold, published, or exposed to sale or hire, or has in his possession for sale or hire any book so unlawfully printed or imported.

[4] The action must be brought in a Court of Record and within 12 months after the offence.

ARTICLE 28.

Special Penalty for unlawfully importing Copyright Books.

[5] The following consequences are incurred by every one, except the proprietor of the copyright of any book, or some person authorised by him, who imports or brings, or causes to be imported or brought [for sale or hire], into the United Kingdom, or into any other part of the British dominions, any printed book in which there is copyright, first composed, written, or printed [and published] in any part of the United Kingdom, and reprinted in any country or place out of the British dominions;

Or, who knowingly sells, publishes, or exposes to, sale, or lets to hire, or has in his possession for sale or hire any such book, that is to say:—

(*a.*) Every such book is forfeited, and must be seized by every officer of Customs or Excise, and in that case must be destroyed by such officer.

(*b.*) The person so offending must, upon conviction before two justices, be fined 10*l.* for every such offence, and double the value of every copy of any such book in respect of which he commits any such offence.

[6] [6] Provided that if the Legislature or proper legislative authorities in any British possession

[6] *For amendments as to the Foreign Reprints Act proposed by the Commissioners, see* Report, paras. 206–216, *and for the discussion of the subject,* paras. 182–206.

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[1] 5 & 6 Vict. c. 45. s. 15. It is singular that the consent of the author should apply only to Case (*a*).

[2] "A special action in the case." Forms of action being abolished, this seems now to be obsolete.

[3] ? Would this include importation over a land frontier, as in Canada.

[4] 5 & 6 Vict. c. 45. s. 26.

[5] 5 & 6 Vict. c. 45. s. 17. The Customs Act, 39 & 40 Vict. c. 36. ss. 39, 42, 44, 45, 152, 177, contains further provisions on this subject, the effect of which would be shown by omitting the words bracketed in the text; but the consequence marked (*b*) applies only to offences against the Copyright Act.

[6] 10 & 11 Vict. c. 95. s. 1. This is the substance of the Act in a condensed form. All these Acts are very wordy. It contains some provisions of minor importance as to publishing the Order in the Gazette, and laying it before Parliament, which I omit for the sake of brevity.

pass an Act or make an Ordinance, which, in the opinion of Her Majesty, is sufficient for the purpose of securing to British authors reasonable protection within such possessions, Her Majesty may approve of such Act, and issue an Order in Council declaring that so long as the provisions of such Act remain in force, the prohibition herein-before contained shall be suspended so far as regards such colony.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 29.

Pirated Copies forfeited to Registered Owner.

[1] All copies of any book [g 7] in which there is a duly registered copyright unlawfully printed or imported without the consent in writing under his hand of the registered proprietor of the copyright are deemed to be the property of the registered proprietor of such copyright, and he may sue for and recover the same, with damages for the detention thereof, from any person who detains them after a demand thereof in writing.[h 8]

[g 7] *Add* "or work of art or thing." (Report, para. 160.)

[h 8] *Add* "proceedings for recovering the penalties herein-before mentioned may be taken before a magistrate in a summary way."

ARTICLE 30.

[i 9] *Copies of Books to be delivered for Public Libraries, and Penalties for non-delivery.*

[i 9] Report, paras. 161-166.

[2] A copy of the first edition and of every subsequent edition containing additions and alterations of every book published in any part of the British dominions must be delivered at the British Museum between 10 a.m. and 4 p.m. on some week day, other than Ash Wednesday, Good Friday, or Christmas Day, within a month after its publication, if it is published in London, within three months if it is published in the United Kingdom elsewhere than in London, and within 12 months if it is published in any other part of the British dominions.

It may be delivered to any person authorised by the Trustees of the British Museum to receive it, and such person must give a receipt in writing therefor.

[j 10] [3] Copies of every edition of every book published must, if demanded, be delivered to an officer of the Stationers' Company for each of the following libraries: the Bodleian Library, the Cambridge University Library, the Advocates Library at Edinburgh, and the Library of Trinity College, Dublin.

[j 10] The demand, in writing, must be left at the place of abode of the publisher, within 12 months after the publication of the book, and the copies must be delivered within one *month* after such demand, either to the Stationers' Company or to the said libraries, or to anyone authorised to receive the copies on their behalf.

[j 10] *The paragraphs thus marked to be repealed.* (Report, para. 164.) *See also alterations suggested as to registration. Article* 32 *supra.*

[1] 5 & 6 Vict. c. 45, s. 23.
[2] 5 & 6 Vict. c. 45, ss. 6, 7, 8, 9, & 10 (abridged).
[3] ? In the United Kingdom or in the Queen's Dominions. The Act is silent on this.

The copy for the British Museum must be bound, stitched, or sewed together, and upon the best paper on which the book is printed.

[j] [10] The copies for the other libraries mentioned must be upon the paper of which the largest number of copies of the book or edition are printed for sale in the like condition as the copies prepared for sale by the publisher.

The copies must in each case include all maps and prints belonging thereto.

Any publisher making default in such delivery as is herein-before mentioned, is liable to a maximum penalty of 5*l.* and the value of the copy not delivered. This penalty may be recovered upon summary proceeding before two justices of the peace, or a stipendiary magistrate, at the suit of the librarian, or other officer properly authorised, of the library concerned.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 31.

Penalty for Offences against University Copyright.

[k] [11] [2] Everyone incurs the penalties herein-after mentioned who does any of the following things with any book of which the copyright is vested in any university or college under Article 11; (that is to say,)

[k] *This article to be repealed.* (Report, para. 48.)

(*a.*) Who prints, reprints, or imports, or causes to be printed, reprinted, or imported, any such book.

(*b.*) Knowing the same to be so printed or reprinted, sells, publishes, or exposes to sale, or causes to be sold, published, or exposed to sale, any such book.

The penalties for the said offences are:—

(*a.*) The forfeiture of every sheet being part of such book to the university or college to which the copyright of such book belongs, which university or college must forthwith damask and make waste paper of them.

(*b.*) One penny for every sheet found in the custody of such person printing or printed, published or exposed to sale, half to go to the Queen, and half to the informer.

[3] None of the penalties aforesaid can be incurred—

Unless the title to the copyright of the book in respect of which the offence was committed was registered either before 24th June 1775 or within two months after the time when the bequest or gift of the copyright of any book came to the knowledge of the vice-chancellor of any university or the head of any college or house of learning;

Or unless the clerk of the Stationers' Company, being duly required to make the entry, refuses to do so, and the university

[j] Section 6, as to the British Museum, mentions, "engravings" also.
[2] 15 Geo. 3. c. 53. s. 2.
[3] Ib., ss. 4 & 5.

advertises such refusal in the Gazette, in which case the clerk incurs a penalty of 20*l.* to the proprietors of the copyright.

[1] The penalty must be sued for in the High Court.

ARTICLE 32.

[n12] *Penalty for performing Dramatic Pieces.*

[2] Every person who, without the consent in writing of the author or other proprietor first obtained, represents or causes to be represented at any place of dramatic entertainment in the British dominions any dramatic piece or musical composition is liable to pay to the author or proprietor for every such representation an amount not less than 40*s.* or the full amount of the benefit or advantage arising from such representation or the injury or loss sustained by the plaintiff therefrom, whichever may be the greater damages.

The penalty may be recovered in any court having jurisdiction in such cases.[m13]

ARTICLE 33.

[n11] *Penalty for Infringement of Copyright in Works of Art.*

[3] Everyone (including the author, when he is not the proprietor) commits an offence who, without the consent of the proprietor of the copyright therein, does any of the following things with regard to any painting, drawing, or photograph in which copyright exists; (that is to say,)

(*a.*) Repeats, copies, colourably imitates, or otherwise multiplies, for sale, hire, exhibition, or distribution, any such work; or the design thereof;

(*b.*) Causes or procures to be done anything mentioned in (*a*);

(*c.*) Sells, publishes, lets to hire, exhibits, or distributes, offers for any such purposes, imports into the United Kingdom any such repetition, copy, or other imitation of any such work or of the design thereof, knowing that it has been unlawfully made;

(*d.*) Causes or procures to be done, any of the things mentioned in (*c*);

[4] (*e.*) Fraudulently signs or otherwise affixes or fraudulently causes to be signed or otherwise affixed to or upon any painting, drawing, or photograph or the negative thereof, any name, initials, or monogram.

(*f.*) Fraudulently sells, publishes, exhibits, or disposes of, or offers for sale, exhibition, or distribution, any painting, drawing, or photograph, or negative of a photograph, having thereon the name, initials, or mono-

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[n12] Report, paras. 167–173.

[m13] *Add at the end of the article*—

"Provided that no person shall be entitled to recover damages for any such representation as aforesaid, of any musical composition unless it is stated on the title-page of such musical composition, that the right of public performance is reserved, nor unless the name and address of the person authorised to permit such performance is also stated thereon; provided also that in the case of an action for damages by the performance of any such musical composition as aforesaid, the court may in its discretion give or direct the jury to give to the plaintiff such damages as he may have actually incurred in place of the amount herein-before stated of 40*s.* for every such representation." (Report, para. 171.)

[n14] Report, paras. 173–180.

[1] Sect. 5.
[2] 3 & 4 W. 4. c. 15. s. 2, as extended by 5 & 6 Vict. c. 45. ss. 20, 21.
[3] 25 & 26 Vict. c. 68. s. 6.
[4] Sect. 7.

gram of a person who did not execute or make such work;

(*g.*) Fraudulently utters, disposes of, or puts off, or causes to be uttered or disposed of, any copy or colourable imitation of any painting, drawing, or photograph, or negative of a photograph, whether there is subsisting copyright therein or not, as having been made or executed by the author or makers of the original work from which such copy or imitation has been taken;

(*h.*) Makes or knowingly sells, publishes, or offers for sale, any painting, drawing, or photograph which after being sold or parted with by the author or maker thereof, has been altered by any other person by addition or otherwise, or any copy of such work so altered, or of any part thereof, as the unaltered work of such author or maker during his life and without his consent.

[1] Everyone who commits any of the offences (*a*), (*b*), (*c*), or (*d*) forfeits to the proprietor of the copyright for the time being a sum not exceeding 10*l.*, and all such repetitions, copies, and imitations made without such consent as aforesaid, and all negatives of photographs made for the purpose of obtaining such copies.

[2] Everyone who commits any of the offences (*e*), (*f*), (*g*), or (*h*) forfeits to the person aggrieved a sum not exceeding 10*l.*, or double the price, if any, at which all such copies, engravings, imitations, or altered works were held or offered for sale, and all such copies, engravings, imitations, and altered works are forfeited to the person whose name, initials, or monogram are fraudulently signed or affixed, or to whom such spurious or altered work is fraudulently or falsely ascribed; provided that none of the last-mentioned penalties are incurred unless the person to whom such spurious or altered work is so fraudulently ascribed, or whose initials, name, or monogram is so fraudulently or falsely ascribed, was living at or within 20 years next before the time when the offence was committed.

The penalties herein-before specified are cumulative, and the person aggrieved by any of the acts before mentioned may recover damages in addition to such penalties, and may in any case recover and enforce the delivery to him of the things specified, and recover damages for their retention or conversion.

[3] The penalties may be recovered either by action or before two justices or a stipendiary magistrate.[o 15]

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

[o 15] *Add here:* "Any such copy offered "for sale, hire, or distribution elsewhere than in a house may be "seized by any peace officer without "warrant for the use of the copyright "owner." (Report, para. 178.)

[1] 25 & 26 Vict. c. 68. s. 6.
[2] 25 & 26 Vict. c. 68. s. 7.
[3] 25 & 26 Vict. c. 68. s. 8.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 34.

Importation of pirated Works of Art prohibited.

[1] The importation into [p 16] the United Kingdom of repetitions, copies, or imitations of paintings, drawings, or photographs wherein, or in the design whereof, there is an existing copyright under 25 & 26 Vict. c. 68., or of the design thereof, or of the negatives of photographs, is absolutely prohibited, except by the consent of the proprietor of the copyright or his agent authorised in writing.

[p 16] *After* "into" *add* "and exportation from" (Report, para. 179.)

ARTICLE 35.

[q 17] *Penalty for pirating Lectures.*

[2] Every person commits an offence who, having obtained or made a copy of any lecture, prints or otherwise copies and publishes the same, or causes it to be so dealt with, without the leave of the author or his assigns;

Or, who, knowing it to have been printed or copied or published without such consent, sells, publishes, or exposes it to sale or causes it to be so dealt with.

Every person who commits such offence forfeits such printed or copied lectures, together with one penny for every sheet thereof found in his custody, half to the Queen and half to the informer.

[3] The printing and publishing of any lecture in any newspaper without leave is an offence within the meaning of this article.

[4] This section does not apply to the publication of lectures which have been printed and published as books at the time of such publication.

The penalty must be sued for in the High Court. [r 18]

[q 17] Report, para. 181.

[r 18] *Add*: "The penalties hereinbefore mentioned may be recovered by summary proceedings before a magistrate, and the author is to have power to seize printed copies in respect of which the offence is committed."

ARTICLE 36.

[s 19] *Penalty for pirating Sculptures.*

[5] Every person is liable to an action for damages who makes or imports, or causes to be made or imported, or exposed to sale, or otherwise disposed, anything of which the copyright is protected by the 54 Geo. c. 56.

[6] This article does not apply to any person who purchases the right or property of anything protected by the said Act of the proprietor by a deed in writing, signed by him with his own hand in the presence of and attested by two credible witnesses.

[s 19] Report, paras. 173–180. The same penalties and powers to seize are recommended as in the case of paintings. (*See* Art. 33, Report para. 180.)

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[1] 25 & 26 Vict c. 68. s. 10. The Customs Act, 39 & 40 Vict. c. 36. does not apply to this matter.

[2] 5 & 6 W. 4. c. 65, s. 1.

[3] 5 & 6 W. 4. c. 65. s. 2. Under these sections a person who delivered a popular lecture and got it published in the newspapers, after having given notice to the two justices, might by good management seize the whole editions of all the London papers, and get 1*d.* a-piece besides.

[4] 5 & 6 Will. 4. c. 65. s. 4.

[5] 54 Geo. 3. c. 56. s. 3.

[6] 54 Geo. 3. c. 56. s. 4.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

ARTICLE 37.

[20] *Penalty for pirating Prints and Engravings.*

[20] Report, paras. 173, 7[illegible].

[1] Every person commits an offence who, without the consent of the proprietor in writing, signed by him and attested by two witnesses,—

(*a.*) In any manner copies and sells, or causes or procures to be copied and sold, in whole or in part, any copyright print; or

(*b.*) Prints, reprints, or imports for sale any such print, or causes or procures any such print to be so dealt with; or

(*c.*) Knowing the same to be so printed or reprinted without the consent of the proprietors publishes, sells, exposes to sale, or otherwise disposes of any such print, or causes or procures it to be so dealt with.

Every person committing any such offence is liable to an action for damages in respect thereof, and forfeits to the proprietor, who must forthwith destroy and damask the same, the plate on which any such print is copied, and every sheet being part of such print, or whereon such print is copied, and also five shillings for every sheet found in his custody in respect of which any such offence is committed, half to the Queen and half to the informer.

[2] The penalty must be sued for in the High Court within six months after the offence.

CHAPTER VI.

[3] INTERNATIONAL COPYRIGHT.

ARTICLE 38.

[21] *International Copyright may be granted in certain cases.*

[21] Report, paras. 283–294.

[4] Copyright in books, dramatic pieces and musical compositions,[5] paintings, drawings, and photographs, sculptures, engravings, and prints, first published in foreign countries, may be granted to the authors of such works, in the

[1] 8 Geo. 2. c. 13. s. 1, as amended by 17 Geo. 3. c. 57. I have compressed very considerably the language of these Acts. Thus, "copies" stands for "engravings, etches, or works in mezzotinto or chiaro-oscuro, or otherwise, or in any other manner copies."

"The whole or in part" stands for "in the whole or in part by varying, adding to, or diminishing from, the main design."

The whole effect of 17 Geo. 3, c. 57, as far as I can see, is to add the words "or procures" after "causes," and to give a right to damages as well as the penalties specified. This is effected in the cumbrous old-fashioned way by re-enacting the whole of the first Act (which however is not repealed) with the addition of the new words. This is inexpressibly puzzling, besides being very cumbrous. I have compared the two Acts line by line, and am by no means sure that I have got the result correctly. The sense escapes in a cloud of words. The 17 Geo. 3. c. 57 is one sentence of 55 lines, and its effect is to qualify a sentence of 61 lines (8 Geo. 2. c. 13. s. 1) in two minute particulars.

These Acts are extended to Ireland by 6 & 7 Will. 4. c. 59. Sect. 2 of this Act re-enacts for the United Kingdom part of the other Acts separately, though sect. 1 extended them generally to Ireland. I cannot guess why this was done.

[2] Sect. 3 and 7 Geo. 3. c. 38. s. 8.

[3] *See* APPENDIX, *Note* C.

[4] 7 & 8 Vict. c. 12. s. 2.

[5] 25 & 26 Vict. c. 68. s. 12.

manner, to the extent, and on the terms herein-after mentioned, [1] if what Her Majesty regards as due protection has been secured by the foreign country in which such works are first published for the benefit of persons interested in similar works first published in Her Majesty's dominions.

ARTICLE 39.

Orders in Council as to International Copyright.

[2] Her Majesty may by Order in Council (stating as the ground for issuing the same that such protection as aforesaid has been secured as aforesaid) direct that the authors [3] of all or any of the things mentioned in the last Article, being first published in any such foreign country as is mentioned in that Article, shall have copyright therein in Her Majesty's dominions for a term, to be specified in the Order, not exceeding the term of copyright which authors of things of the same kind first published in the United Kingdom are entitled by law at the date of the Order.

[4] The terms so to be specified and the terms for registration and delivery of copies of books, as herein-after mentioned may be different for works first published in different foreign countries, and for different classes of such works.

ARTICLE 40.

Term of International Copyright.

[5] The authors of the works specified in the Order are entitled to copyright therein, as follows:—

Under 5 & 6 Vict. c. 45, and the other Acts relating to copyright in books, except the sections relating to the deposit of copies in certain libraries, if the works specified in the Order are books;

Under the [6] Engraving Copyright Acts, the [7] Sculpture Copyright Acts, or the [8] Paintings Copyright Act respectively, if the works specified in the Order are prints, engravings, articles of sculpture, pictures, drawings, or photographs;

Under the [9] Dramatic Copyright Acts, provided that such copyright does not extend to prevent fair imitations or adaptations to the English stage of any dramatic piece, or musical composition published in any foreign country, if the works specified in

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[1] 7 & 8 Vict. c. 12. s. 14.
[2] 7 & 8 Vict. c. 12. s. 2.
[3] "Authors, inventors, designers, engravers, and makers thereof, respectively, and their respective executors, administrators, and assigns."
[4] 7 & 8 Vict. c. 12. s. 13.
[5] 7 & 8 Vict. c. 12. ss. 2, 3, 4, 5.
[6] 8 Geo. 2. c. 13; 7 Geo. 3. c. 38; 17 Geo. 3. c. 57; 6 & 7 Will. 4. c. 59.
[7] 54 Geo. 3. c. 56. 38 Geo. 3. c. 71 referred to in the preamble to 7 & 8 Vict. c. 12 is repealed.
[8] 25 & 26 Vict. c. 68.
[9] 3 Will. 4. c. 15; 5 & 6 Vict. c. 45. ss. 20–22.

the Order are dramatic pieces or musical compositions,[1] unless the order directs that it shall extend to them.

Subject in each case to such limitations as to the duration of the right as may be specified in the Order, and subject also to the provisions herein-after contained.[2]

ARTICLE 41.

No Work Copyright without Registration.

v 22 [3] No author of any such work as is referred to in this chapter is entitled to any benefit under the provisions contained in it, unless such work is registered, and a copy of the first edition and of every subsequent edition containing additions or alterations, but of no other editions of it, is delivered at the Hall of the Stationers Company, within a time to be specified in the Order of Council, and in the manner prescribed in the schedule in the foot-note hereto.[5]

[6] The three paragraphs preceding the last paragraph of Article 23 apply to such entries.

[7] The copy so delivered must within one month of its delivery be deposited in the British Museum by the officer of the Stationers' Company.

ARTICLE 42.

No International Copyright in Newspaper Articles.

[8] Articles of political discussion published in any newspaper or periodical, in any foreign

v 22 *Substitute for this article the following*:—

"Neither registration in the United Kingdom nor the deposit in the United Kingdom of copies of the works referred to in this chapter shall be required in order to give copyright to the authors of such works, and a copy of any entry in any foreign register, attested by any British diplomatic or consular agent, shall in all legal proceedings be prima facie evidence of title to the copyright in such work." (Report, paras. 265, 267.)

[1] This is the effect of 38 Vict. c. 12.

[2] 15 & 16 Vict. c. 12, s. 6.

[3] 7 & 8 Vict. c. 12, s. 6. This section is very long and I have accordingly exhibited the greater part of it in the form of a schedule. *See* next note.

[4] 7 & 8 Vict. c. 12. s. 12.

[5] SCHEDULE.

The register must show, if the work is—				
A book - - -	The title - - -	Name and place of abode of author (unless the book is anonymous, 7 & 8 Vict. c. 12. s. 7).	Name and place of abode of proprietor of copyright.	Time and place of first publication.
Dramatic piece or musical composition printed.	Do. - -	Do. - -	Do. - -	Do. and time and place of first representation or performance.
Dramatic piece or musical composition in MS.	Do.	Do.	Do.	Do.
Print - - -	Do.	Do. of inventor, designer, or engraver.	Do.	Do. First publication in foreign country.
Sculpture - -	Descriptive title -	Do. of maker -	Do. - -	Do.
* Painting, drawing, or photograph.	Short description of nature and subject of work, and a sketch outline or photograph thereof, if the person registering pleases.	Name and abode of author.	Do.	

* By 25 & 26 Vict. c. 68. s. 12. it is enacted that 7 & 8 Vict. c. 12. shall be considered to be included in that Act. 25 & 26 Vict. c. 68. contains no provision as to registration of foreign paintings, though s. 4. provides for the registration of English paintings, &c. I have accordingly filled up this bit of the Schedule from 25 & 26 Vict. c. 68. s. 4.

[6] 7 & 8 Vict. c. 12. ss. 8, 9, provides for some special matters connected with such registration, which I omit for the sake of brevity.

[7] 7 & 8 Vict. c. 12. s. 11.

[8] 15 & 16 Vict. c. 12. s. 7.

country may, if the source from which the same are taken is acknowledged, be re-published or translated in any newspaper or periodical in this country, notwithstanding anything herein-before or herein-after contained.

Articles on other subjects so published may be dealt with in the same manner on the same condition, unless the author has signified his intention of preserving the copyright therein, and the right of translating the same, in some conspicuous part of the newspaper or periodical in which the same was first published, in which case such publication is to be regarded as a book within the meaning of Article.

ALTERATIONS IN THE EXISTING LAW SUGGESTED BY THE COMMISSION.

w23 ARTICLE 43.

x24 *Translations of Foreign Books.*

[1] Her Majesty may by Order in Council direct that the authors of books published, and of dramatic pieces[2] first publicly represented, in the foreign countries referred to in Article 38, may, for a period not exceeding five years from the publication of an authorised translation thereof, prevent the publication in the British dominions of any unauthorised translation thereof, and, in the case of dramatic pieces,[2] the public representation of any such translation.

Upon the publication of such Order the law in force for the time being for preventing the infringement of copyright, and the sole right of representing dramatic pieces,[3] in the British dominions applies to the prevention of the publication of such unauthorised translation.

[4] Provided that no such Order prevents fair imitations or adaptations to the English stage of any dramatic piece or musical composition published in any foreign country.

[5] But Her Majesty may by Order in Council direct that this proviso shall not apply to the dramatic pieces protected under the original Order in Council.

If a book is published in parts, each part is regarded, for the purposes of this article, as a separate book.

ARTICLE 44.

Conditions of International Copyright in Translations.

[6] No author, and no personal representative of any author, is entitled to the benefit of the provisions of the last preceding article unless he complies with the following requisitions:—

1. The original work from which the translation is to be made must be registered, and a copy thereof deposited in the United Kingdom, in the manner required

w23 *Substitute for this and the next article the following:—*

Every foreign author being a native of a state with which a treaty relating to copyright exists, shall have an exclusive right to publish a translation of any book in which he has copyright in Her Majesty's dominions for three years after he has published it in such foreign state, and if he publishes such translation within three years he shall have copyright therein for ten years. (Report, paras. 279, 281, 283.)

If such work is a dramatic piece the owner of the copyright shall, for three years from its publication or from its first public representation, have the exclusive right of representing it in English, or in his own language, and of adapting it for purposes of theatrical representation in Her Majesty's dominions, and if he exercises such right he shall have copyright in such translation or adaptation for ten years. (Report, para. 290.)

x24 Report, paras. 271–294.

[1] 15 & 16 Vict. c. 12. ss. 2 and 3. The last paragraph is a paraphrase of a very intricate sentence.
[2] Sect. 4.
[3] Sect. 5.
[4] 15 & 16 Vict. c. 12. s. 6.
[5] 38 Vict. c. 12.
[6] 15 & 16 Vict. c. 12. s. 8.

for original works by the said International Copyright Act, within three calendar months of its first publication in the foreign country:

2. The author must notify on the title page of the original work, or, if it is published in parts, on the title page of the first part, or, if there is no title page, on some conspicuous part of the work, that it is his intention to reserve the right of translating it:
3. The translation sanctioned by the author, or a part thereof, must be published either in the country mentioned in the Order in Council by virtue of which it is to be protected, or in the British Dominions, not later than one year after the registration and deposit in the United Kingdom of the original work; and the whole of such translation must be published within three years of such registration and deposit:
4. Such translation must be registered, and a copy thereof deposited in the United Kingdom, within a time to be mentioned in that behalf in the Order by which it is protected, and in the manner provided by the said International Copyright Act for the registration and deposit of original works:
5. In the case of books published in parts, each part of the original work must be registered and deposited in this country in the manner required by the said International Copyright Act, within three months after the first publication thereof in the foreign country:
6. In the case of dramatic pieces the translation sanctioned by the author must be published within three calendar months of the registration of the original work:
7. The above requisitions apply to articles originally published in newspapers or periodicals, if the same be afterwards published in a separate form, but not to such articles as originally published.

Article 45.

Importation of Pirated Works.

[1] The importation into any part of the British dominions of copies of any work of literature or art, the copyright in which is protected by the provisions of this chapter, and of unauthorised translations thereof, is absolutely prohibited, unless the registered proprietor of the copyright therein, or his agent authorised in writing, consents, and the provisions of Article 28 apply to the importation of such copies into any part of the British dominions.

[1] 15 & 16 Vict. c. 12. s. 9. The effect of this was to supersede a somewhat narrower provision to the same effect contained in 7 & 8 Vict. c. 12. s. 10.

*** *As to Colonial and Indian Copyright see* Appendix. *Note* C.

APPENDIX.

NOTE A. to Article 4.

This article represents what I believe to be the law upon this subject as finally settled after a great deal of discussion and controversy, though it must be owned that no distinct and final decision directly in point can be produced.

The controversy whether at common law, and apart from the different statutes (of which 5 & 6 Vict. c. 45. is now in force), an author has a property in the order of words devised by him, and is therefore entitled to a remedy if any one else makes use of that order of words in such a way as to diminish any advantage which he might derive from it, has on several distinct occasions been most elaborately discussed before the highest courts in the country. The three great cases upon the subject are Millar v. Taylor, 4 Burr. 2,303; Donaldson v. Beckett, 4 Burr. 2,408; and Jefferys v. Boosey, 4 H. L. C. 815. Many of our greatest judges, and in particular Lord Mansfield and Lord Chief Justice Eric, have been of opinion that such a right did exist at common law. It will, I think, be found upon examination that their argument comes to this. It is the duty of the judges to declare everything to be part of the common law which appears to them to be analogous to existing law, and to be in itself just and reasonable. The existence of copyright fulfils these conditions; therefore copyright exists at common law.

The other view, which has been favoured by equally eminent authorities, comes, I think, to this. Copyright at common law ceases upon publication because the general principle that a man has a property in everything which he produces by intellectual labour, and can treat as an injury any use of it without his leave, would lead to absurd results. It would give a man copyright in his conversation. It would enable an author to prevent any one from lending copies of his works to friends. It would make all the works of the human mind private property vested by the various chances of life in persons utterly unconnected or only very remotely connected with their authors. The judges who took this view seem to have agreed that it was obviously expedient that some such right should be conferred by law upon authors and artists, but they regarded its precise limitation and definition as a task for the Legislature, and not for themselves. Though the cases of Jefferys v. Boosey and Reade v. Conquest are not direct authorities for the latter view, they are much more favourable to it than to the former, which, indeed, would seem to show that an author might have an injunction to restrain circulating libraries from lending copies of his books on hire.

As to what amounts to a publication of a work of art I know of no precise authority. The case of Prince Albert v. Strange shows that at common law the author of a work of art has a right to prevent it from being copied without his leave. I should doubt whether such would be the case (apart from the statutes) if a work of art was exhibited for money. The question, however, is one of no practical importance.

That there is no copyright in dramatic performances apart from statute law is indicated, though not established, by Coleman v. Wathen, 5 T. R. 245. There is a dictum to the same effect by the present Lord Chief Justice of England in Toole v. Young, L. R. 9 Q. B. 527.

One difficulty is connected with this view of the matter which I am unable to remove. It has been held in Cox v. Land and Water Company, L. R. 9 Eq. 324, that the proprietor of a newspaper has copyright, or at all events a right analogous to copyright, in the articles published in his paper, but that a newspaper is not a "book" within 4 & 5 Vict. c. 46., and that therefore the omission to register the paper is not fatal to the proprietor's right to apply for an injunction to restrain piracy. How this can be consistent with the doctrine that publication destroys copyright, except in cases in which the statutes preserve it, I do not understand. (Report para. 88).

NOTE B. to Article 9.

This article is founded upon a full examination of I should think 20 or 30 cases. I have referred to the most striking of them in the ten illustrations. In all of them the doctrine stated in the text is laid down in a variety of forms, in whole or in part, and of course with special reference to the facts of each particular case. It would serve no purpose to accumulate further references on the subject. I may however observe, that I have considered with special attention the question of the law as to abridgments, and I believe the opinion upon it which I find to be commonly entertained is altogether incorrect. It is impossible to give anything approaching to a definition of an abridgment, nor do I believe that any more definite doctrine on the subject than the one submitted in this article could be laid down. The opinion that abridgments are not an invasion of copyright, would appear to be founded on the marginal note to the case of Doddesley v. Kinnersley (Ambler, 403), which is in these words, "A fair abridgment is no piracy." It will be found, however, upon an examination of the case, that the note is far too wide. The defendant had published in a magazine part of the narrative of Rasselas, "but left out all the reflections." It does not appear from the report whether what he published exceeded the limits of extracts which a reviewer may fairly make, nor whether the extracts were mixed with criticisms or not. The Master of the Rolls observed, "What I materially rely upon is, that "it would not tend to prejudice the plaintiffs, when "they had before published an abstract of the work "in the London Chronicle." The later authorities are far narrower and more special, and do not appear to me to warrant any wider statement on the subject than I have made. I may observe that that in Spiers v. Brown, Lord Hatherleigh (the Vice-Chancellor) said, "No doubt he had struck out an enormous "quantity of the plaintiff's meanings, &c. The mere "striking out of a certain quantity of the plaintiff's "works would not entitle the defendant to publish "such abridgment of the previous work, and if "he had stopped there, the piracy would have been "made out," &c.

NOTE C.

The law as to Colonial and Indian Copyright is not collected under a separate heading in the Digest, because it does not seem to form a distinct head. To some extent it depends upon 5 & 6 Vict. c. 45., as interpreted by the English courts, and this part of the law on the subject is stated in Articles 5, 6, 7, 28. In India and in some of the Colonies the local legislatures have passed Acts upon the subject which have not been incorporated in this Digest for obvious reasons. The most important of these are the Indian Act (Act XX. of 1847), which enacts, *mutatis mutandis*, the provisions of 5 & 6 Vict. c. 45., and the Canadian Copyright Act, as to which, *see* Report, pars. 195–205, and 38 & 39 Vict. c. 53.

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